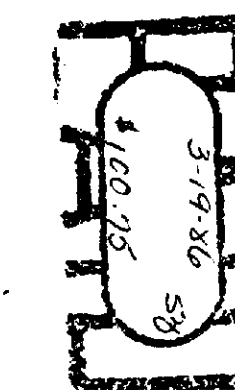


MAP 86-354-XSPH
E.D. 200
DATE 11-1-79
1000
DP



86-354-XSPH
#207

George Helfrich
86-354-XSPH
Rolling Rd., 2338 W of
1st Elec. Dist.

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JADSON
ZONING COMMISSIONER

May 15, 1986

J. Carroll Holzer, Esquire
305 W. Chesapeake Avenue, Suite 110
Towson, MD 21204

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

RE: PETITIONS SPECIAL EXCEPTION
AND SPECIAL HEARING
S/S of Dogwood Road,
2338 W of Rolling Road
1st Election District
George Helfrich, Petitioner
Case No. 86-354-XSPH

Dear Mr. Holzer:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:jbg

Attachments

cc: People's Counsel

Ms. Ann Dew
7130 Dogwood Road
Baltimore, Maryland 21207

IN RE: PETITIONS SPECIAL EXCEPTION
AND HEARING
S/S of Dogwood Road,
2338 W of Rolling Road
1st Election District
George Helfrich -
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-354-XSPH

The Petitioner herein requests a special hearing for the continued operation of certain activities on the property, such activities being determined to be nonconforming to the current D.R. 5.5 zone: utilization of the clubhouse for social activities, including the utilization of a liquor license, wherein meetings, dances, and other social activities have been conducted; outdoor baseball, football and soccer fields which have been utilized for those sports activities; the woods which have been utilized for hiking, camping and other nature activities; the pool which has been utilized for swimming and other aquatic activities; two clay tennis courts which have been utilized; and a pond, which has been used for canoeing, boating and fishing and/or

The Petitioner requests a special exception for utilization of the clubhouse as an area of social activities (including a liquor license) wherein meetings, dances, and other social activities will be conducted; outdoor baseball, football, and soccer fields for those sports activities; tennis facilities; the woods for hiking, camping and other nature activities; the pool for swimming and other aquatic activities; a miniature golf course and a golf driving range; the right to utilize the clubhouse and fields as a training facility for football, baseball, or soccer; and camping to include overnight tenting and other outdoor recreational activities.

Testimony by and on behalf of the Petitioner indicated that the clubhouse has been in existence since the 1940's and both it and the grounds have been utilized by club members or private parties (including companies and organized

groups) for meetings, dances and other social activities, many of which utilized a liquor license. The pool and pool house, since the early 1950's, have been utilized by club members, groups, those joining the pool for an annual membership and a day camp for one summer. Since the 1940's or early 1950's the pond, woods and open areas have been used for general recreational purposes including camping by members and the parking lot has been in existence. The earliest specific reference to basketball was "prior to 1961." Although the Petitioner testified that he saw fields (i.e. baseball, football and/or soccer) somewhere between 1952 and 1954, one person testified they were added about 1965, and another that they were added at the time the last building at Social Security was constructed. An undated letter from the President of the Wildwood Athletic Association, Inc., marked Petitioner's Exhibit 2, indicated that the organization built lighted football and softball fields subsequent to its purchase of the site in 1979. The tennis courts were added in 1971 according to one witness and after Potts and Callahan work according to another.

The Petitioner, in his special exception request, proposes to expand the facility by adding a miniature golf course and a golf driving range, and to obtain the right to utilize the clubhouse and fields as a training facility.

Testimony by a representative of a local improvement association indicated concern for proper management of the pool and other facilities and concern that there might be noise, vandalism and/or brawls by users of the facility. She urged pool admission by bonded membership only, that no amplifiers or rock groups be permitted and, in general, good management. She testified that the fields were constructed in 1977.

After due consideration, in the opinion of the Deputy Zoning Commissioner, the following enjoy a legal, nonconforming status as indicated on the plan prepared by Gerhold, Cross & Etzel, revised September 10, 1985 and marked Petitioner's Exhibit 1:

- 2 -

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for utilization of the clubhouse as an area of social activities, (including a liquor license) wherein meetings, dances and other social activities will be conducted; outdoor baseball, football, and soccer fields for those sports activities; tennis facilities; the woods which have been utilized for hiking, camping and other nature activities; the pool which has been utilized for swimming and other aquatic activities; a miniature golf course and a golf driving range.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	George Helfrich
Signature	(Type or Print Name)
Address	Signature
City and State	(Type or Print Name)
Attorney for Petitioner:	Signature
J. Carroll Holzer	2516 Maryland Avenue
(Type or Print Name)	Address Phone No.
Signature	Baltimore, Maryland 21218
305 W. Chesapeake Ave., Suite 110	City and State
Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Towson, Maryland 21204	Name
City and State	Address Phone No.
Attorney's Telephone No.: 825-6960	

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day of February, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11th day of March, 1986, at 1:30 o'clock

Jean M. H. Jung
Zoning Commissioner of Baltimore County.

(over)

(cont'd.)
range; the right to utilize the clubhouse and fields as a training facility for football, baseball, or soccer. Camping to include overnight tenting and other outdoor recreational activities; all pursuant to Baltimore County zoning regulations, Section 1801.1.C.6

tioner's Exhibit 1: clubhouse for social activities including music and liquor license, pool and pool house, recreational use (including camping) of pond, woods and open areas; parking lot and a basketball court.

It appears that fields, baseball, football and soccer, as well as tennis courts, have been added later and have been within, but totally utilized, the 25% expansion allowed by the Baltimore County Zoning Regulations (BCZR).

Pursuant to the advertisement, posting of property, and public hearing on the Petitions, and after due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, the requirements of Section 502.1, BCZR, have been met and the health, safety and general welfare of the community will not be adversely affected, and, therefore, the Special Hearing and Special Exception should be granted in part, subject, however, to the limitations on the Special Hearing reflecting the findings noted above and to restrictions on the Special Exception.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 15th day of May, 1986, that the herein Petition for Special Hearing for the continued operation of certain activities on the property, such activities being determined to be nonconforming to the current D.R.5.5 zone: utilization of the clubhouse for social activities, including the utilization of a liquor license, wherein meetings, dances, and other social activities have been conducted; the woods which have been utilized for hiking, camping and other nature activities; the pool which has been utilized for swimming and other aquatic activities; a pond which has been used for canoeing, boating and fishing; and, additionally, the Petition for Special Exception for a miniature golf course and a golf driving range; all in accordance with Petitioner's Exhibit are hereby GRANTED, from and after the date of this Order, subject, however, to the following limitations on the Special Hearing reflecting the testimony and evidence presented:

1. The nonconforming uses, including their permitted 25% expansion, shall not extend beyond the clubhouse for social activities including music and liquor license, pool and pool house, recreational use (including camping) of pond, woods and open areas; parking lot, basketball court, fields (baseball, football and soccer) and tennis courts.
2. There shall be no concerts whose attendance will cause the parking lot to overflow or cause noise/sound in violation of Baltimore County nuisance laws.
3. No amplifiers shall be used after 11:00 p.m.
4. All activities, except camping, shall cease by 2:00 a.m. Friday and Saturday, and midnight Sunday through Thursday.
5. The pool shall not be open to the public as a commercial business with daily admission, but available to organized groups or to individuals and families who are club members, or who have paid an annual membership fee and to their specified guests for whom they are responsible.

and to the following restrictions on the Special Exception:

1. The driving range and miniature golf activities shall cease by 10:00 p.m.
2. Adequate parking in accordance with current BCZR shall be provided for the miniature golf course and the golf driving range.
3. The pool shall be operated in accordance with all Health Department requirements.
4. All facilities shall be closed and the two entrances to the parking lot secured with a cable/chain unless there is, on the property, a manager or person responsible to the owner. That manager is responsible for seeing that there is no illegal drug and/or alcohol consumption on the property.

A special exception for the right to utilize the clubhouse and fields as a training facility for football, baseball, or soccer is hereby DENIED.

Jean M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING
DATE May 15 1986
BY *Jean M. H. Jung*

ORDER RECEIVED FOR FILING
DATE May 15 1986
BY *Jean M. H. Jung*

ORDER RECEIVED FOR FILING
DATE May 15 1986
BY *Jean M. H. Jung*

ORDER RECEIVED FOR FILING
DATE May 15 1986
BY *Jean M. H. Jung*

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the continued operation of certain activities on the property, such activities as are hereinafter described having been in continuous use and operation since 1962, such activities being determined to be non-conforming to the D.R. 5.5 Zone, which is presently applied to the property. Such activities which have been in continuous use are utilization of the clubhouse as an area of social activities, including the utilization of a liquor license wherein meetings, dances and other social activities. Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

(Type or Print Name)

Signature

Address

City and State

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

City and State

Name

Address

City and State

Name

Address

City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 4th day of February, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11th day of March, 1986, at 1:30 o'clock P.M.

Carol Holzer
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR SPECIAL HEARING : OF BALTIMORE COUNTY
S/S Dogwood Rd., 2338' W of Rolling Rd., 1st District
GEORGE HELFRICH, Petitioner : Case No. 86-354-XSPH

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 25th day of February, 1986, a copy of the foregoing Entry of Appearance was mailed to J. Carroll Holzer, Esquire, 305 W. Chesapeake Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

(con'd.)

have been conducted, outdoor baseball, football and soccer fields have been utilized for those sports activities; the woods which have been utilized for hiking, camping and other nature activities, the pool which has been utilized for swimming and other aquatic activities. Two clay tennis courts have also been in existence and utilized during the life of this facility. Finally, a pond which is located on the property has also been used for canoeing, boating and fishing throughout the life of this operation existing on site since 1962.

CARL L. GERHOLD
PHILIP R. CROSS
JAMES F. ETZEL
WILLIAM L. HARRIS
ROBERT T. LANGDON

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204
823-4470

April 9, 1985

Zoning Description

All that piece or parcel of land situate, lying and being in the First Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at a point in Dogwood Road distant 2338 feet westerly measured along Dogwood Road from Rolling Road and thence running and blinding in Dogwood Road, North 68 degrees 00 minutes 06 seconds West 773.62 feet, thence leaving Dogwood Road and running for the property lines of the petitioner herein, the six following courses and distances viz: South 87 degrees 23 minutes 45 seconds West 440.55 feet, South 0 degrees 02 minutes 59 seconds East 1036.74 feet, South 7 degrees 16 minutes 42 seconds West 353.27 feet, South 62 degrees 33 minutes 22 seconds East 495.51 feet, North 29 degrees 22 minutes 02 seconds East 671.55 feet and North 29 degrees 37 minutes 02 seconds East 874.50 feet to the place of beginning.

Containing 28.413 Acres of land more or less.

Being the property of the petitioner herein and shown on a plat filed with the Baltimore County Zoning Department.



PETITIONS FOR SPECIAL HEARING AND EXCEPTION

1st Election District

LOCATION: South Side of Dogwood Road, 2338 feet West of Rolling Road

DATE AND TIME: Tuesday, March 11, 1986, at 1:30 p.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing for continued operation of certain activities on the property, such activities being determined to be non-conforming to the D.R. 5.5 Zone presently zoned, and such activities are: utilization of the clubhouse for social activities, including the utilization of a liquor license wherein meetings, dances, and other social activities have been conducted; outdoor baseball, football and soccer fields have been utilized for those sports activities; the woods which have been utilized for hiking, camping and other nature activities; the pool which has been utilized for swimming and other aquatic activities; two clay tennis courts which have been utilized; and a pond, located on the property, which has been used for canoeing, boating and fishing.

Petition for Special Exception for utilization of the clubhouse as an area of social activities (including a liquor license) wherein meetings, dances, and other social activities will be conducted, outdoor baseball, football, and soccer fields for those sports activities; tennis facilities; the woods which have been utilized for hiking, camping and other nature activities; the pool which has been utilized for swimming and other aquatic activities; a miniature golf course and a golf driving range; the right to utilize the clubhouse and fields as a training facility for football, baseball, or soccer; and camping to including overnight tenting and other outdoor recreational activities.

Being the property of George Helfrich, as shown on plat plan filed with the Zoning Office.

In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 20, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on February 20, 1986.

THE JEFFERSONIAN,

18 Kentish
Publisher

Cost of Advertising

44.00

PETITIONS FOR SPECIAL HEARING AND EXCEPTION
1st Election District
LOCATION: South Side of Dogwood Road, 2338 feet West of Rolling Road
DATE AND TIME: Tuesday, March 11, 1986, at 1:30 p.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Special Hearing for continued operation of certain activities on the property, such activities being determined to be non-conforming to the D.R. 5.5 Zone presently zoned, and such activities are: utilization of the clubhouse for social activities, including the utilization of a liquor license wherein meetings, dances, and other social activities have been conducted; outdoor baseball, football and soccer fields have been utilized for those sports activities; the woods which have been utilized for hiking, camping and other nature activities; the pool which has been utilized for swimming and other aquatic activities; two clay tennis courts which have been utilized; and a pond, located on the property, which has been used for canoeing, boating and fishing throughout the life of this operation existing on site since 1962.

Petition for Special Exception for utilization of the clubhouse as an area of social activities (including a liquor license) wherein meetings, dances, and other social activities will be conducted, outdoor baseball, football, and soccer fields for those sports activities; tennis facilities; the woods which have been utilized for hiking, camping and other nature activities; the pool which has been utilized for swimming and other aquatic activities; a miniature golf course and a golf driving range; the right to utilize the clubhouse and fields as a training facility for football, baseball, or soccer; and camping to including overnight tenting and other outdoor recreational activities.

Being the property of George Helfrich, as shown on plat plan filed with the Zoning Office. In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order of
ARNOLD JABLON
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-1053

ARNOLD JABLON
ZONING COMMISSIONER

March 5, 1986

J. Carroll Holzer, Esquire
305 West Chesapeake Avenue
Suite 110
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND EXCEPTION
S/S Dogwood Rd., 2338' W of Rolling Rd.
1st Election District
George Helfrich - Petitioner
Case No. 86-354-XSPH

Dear Mr. Holzer:

This is to advise you that \$100.75 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to the County Office Building, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 018538

DATE 3/16/86 ACCOUNT P-01-613-VMD

SIGNATURES TO BE RETURNED

AMOUNT \$ 100.75

RECEIVED Holzer, Maher & DeMillo

FOR: Advertising & Costs - re: Case No. 86-354-XSPH

9 0117*****100715 0204F

VALIDATION OR SIGNATURE OF CARRIER

Office of
PATUXENT
PUBLISHING CORP.

10750 Lutz Patuxent Place
Columbia, MD 21044

February 20, 1986

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR SPECIAL HEARING & EXCEPTION

was inserted in the following:

Extonville Times

Aratus Times

weekly newspapers published in Baltimore County, Maryland once a week for one successive weeks before the 22 day of February, 1986, that is to say, the same was inserted in the issues of

February 20, 1986

PATUXENT PUBLISHING CORP.

By *[Signature]*

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

CERTIFICATE OF PUBLICATION OF

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1st Date of Posting 2-28-86
Posted for: Special Hearing and Special Exception
Petitioner: George Helfrich
Location of property: 5/5 of Dogwood Road, 2338 W of Rolling Road
Location of Sign: Sign on south side of Dogwood Road opposite 2338 W of Rolling Road
Remarks: Rolling Road and Dogwood Road, side of Dogwood Road opposite 2338 W of Rolling Road
Posted by: M. J. Dyer Date of return: 2-28-86
Number of Signs: 4

J. Carroll Holzer, Esquire
305 West Chesapeake Avenue, Suite 110
Towson, Maryland 21204

February, 1986

NOTICE OF HEARING

RE: PETITIONS FOR SPECIAL HEARING AND EXCEPTION
S/S Dogwood Road, 2338 W of Rolling Road
1st Election District
George Helfrich - Petitioner
Case No. 86-354-XSPH

TIME: 1:30 p.m.
DATE: Tuesday, March 11, 1986
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

LAW OFFICES
HOLZER, MAHER & DEMILIO
305 W. CHESAPEAKE AVENUE
SUITE 110
TOWSON, MARYLAND 21204
(301) 825-6860

WASHINGTON, D.C. OFFICE
225 SHOREHAM BUILDING
801 15TH STREET, N.W.
WASHINGTON, D.C. 20005

March 6, 1986

Jean Jung, Deputy Zoning Commissioner
Room 109
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Hearing: Tuesday, March 11, 1986
George Helfrich

Dear Mr. Jung:

I received a call today from my client, Mr. Helfrich indicating that the key witness necessary to establish the continued operations of this Club over the past 25 year will be unable to travel from the Eastern Shore of Maryland to Towson by 1:30 p.m. for our Hearing. It is expected that he will not be able to arrive until 3:30 p.m. I would very much appreciate whatever consideration may be extended in order to accommodate this scheduling difficulty that I find myself in regarding this witness.

I called your office about the problem and your secretary indicated that it should be handled on the day of the hearing; however, I believe you are entitled to having the courtesy of knowing my problem at an earlier stage. I am also concerned that confusion could arise if the problem is not resolved before hand.

Thank you very much for any advice that you may be able to provide in regard to this difficulty.

Very truly yours,

J. Carroll Holzer

JCH:lm

Wildwood Athletic Assn., Inc.

7301 DOGWOOD ROAD
BALTIMORE, MARYLAND 21207
PHONE 944-1044

Dear Mr. William Hammond,

Mrs. Deborah Brown, Executive Director of the Western Family Branch YMCA recently applied for a permit to run a day camp on our property. The YMCA has no reason to believe that the permit would not be granted along with their Rolling Road Day Camp location permit, so 20,000 day camp information papers were distributed during the month of March advertising a high quality, low cost camp available for residents of the Woodlawn area. Thirty eight children had already registered and paid in full for the Wildwood Day Camp when Mrs. Brown was informed by the County Court House that there would have to be a hearing for an exception to have camp on our property. After numerous visits to the County Court House by Mrs. Brown and then myself, it became evident that prescribed procedures for a hearing would prohibit the opening of camp in time for the summer of 83.

Our club, Wildwood Athletic Assn., Inc., was started in 1947 and through the years has sponsored childrens teams in all types of sports and recreational activities. In 1979 we purchased the old Woodlawn country Club at 7301 Dogwood Road with the intent of making a sports complex for the community. We are a non-profit charitable organization. We sponsor youth activities in swimming, soccer, and football for children from all over the county using our facilities. We have built a lighted football field and softball field, lighted basketball and volleyball courts and maintain an olympic size pool. All our work has and is done by volunteers with the exception of life guards at the pool during the summer.

Although we are a private club we have tried to let the community make use of our property (28.4 acres). We have let the VFW, Moose, Elks, Easter Seals Marathon, Muscular Dystrophy, Boy Scouts and many others take advantage of our location.

The YMCA Day Camp would utilize our property the same way our members have in the past. They would use the woods, sports fields and courts, swimming pool and bath house, 9:00am-4:00pm Monday through Friday for children ages 5 to 12 years old. Since this benefits the community and will operate within the guidelines of use of the property already in effect, I feel that an exception could be made even if only for this year.

Time is of the essence. I would appreciate your help in this matter and will look forward to hearing from you this week for any further information you may need to grant this permit for the summer of 83. Thank you very much for your consideration.

PETITIONER'S EXHIBIT 2

Sincerely yours,
Robert Leishear
President Wildwood A.F. Inc.
944-1044 after 4pm 7 days wkly

Case No. 86-354-XSPH

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 4th day of February, 1986

ARNOLD JABLON
Zoning Commissioner

Petitioner: George Helfrich
Petitioner's Attorney: J. Carroll Holzer, Esquire

Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY, MARYLAND No. 016052

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 12/9/85 ACCOUNT: 801-615-000

1/25/86 AMOUNT: \$ 200.00

RECEIVED FROM: Carol A. Holzer

FOR: J. Carroll Holzer

100% of 200.00

VALIDATION OR SIGNATURE OF CARRIER

YMCA of the Greater Baltimore Area

Shaping young Baltimore's values since 1853.
WESTERN DISTRICT
Howard County Branch
(301) 467-4334
4331 Montgomery Road
Baltimore City, Maryland 21205

Western Family Branch
(301) 747-9622
850 S. Rolling Road
Baltimore, Maryland 21228

May 8, 1983

Re: Proposed YMCA Day Camp
7301 Dogwood Road

Dear Mr. Hammond,

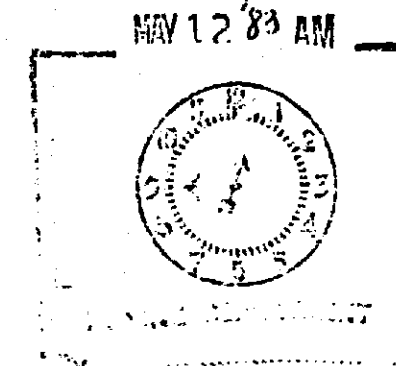
With the growing need for youth programs during the summer, the YMCA of Greater Baltimore has made an effort to expand its Day Camp Programs throughout the area. Our primary goal is to provide a high quality, low cost camp that will give the children the opportunity to learn to swim, learn sportsmanship in team sports, gain confidence through working with others in arts, crafts, music and nature lore and have a sense of security while camping by experiencing an outdoor environment a short distance from home.

The proposed Wildwood Camp location would be a perfect spot for the children living in the Woodlawn area.

I send my hopes, along with Mr. Leishear's letter, that you will be able to make this camp a reality this summer.

Sincerely,

Debbie Brown
Executive Director
Western Family Branch YMCA



Gifts and bequests to the YMCA endowment fund help perpetuate services to youth.



A United Way Agency

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

WILLIAM E. HAMMOND
ZONING COMMISSIONER

May 27, 1983

Ms. Debbie Brown
Executive Director
Western Family Branch YMCA
850 S. Rolling Road
Baltimore, Maryland 21228

Re: Proposed YMCA Day Camp
7301 Dogwood Road
1st Election District

Dear Ms. Brown:

Regarding your letter of May 8, 1983 with reference to the above, this is to advise that your request will be approved for this year only. If you propose to operate a day camp next year, a special exception will have to be obtained prior to approval.

Through a subsequent telephone conversation, Mr. Robert Leishear, President of the Wildwood Athletic Association, Inc., was advised that in the absence of verifiable documentation as to the alleged nonconforming status of his club, a special exception will be required.

If I can be of any further assistance, please feel free to contact me.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chief, Development Control

NBC:aj

cc: Mr. William E. Hammond
Zoning Commissioner

Mrs. Jean M. H. Jung
Deputy Zoning Commissioner

Mr. James E. Dyer
Zoning Supervisor

LAW OFFICES
HOLZER, MAHER & DEMILIO
305 W. CHESAPEAKE AVENUE
SUITE 110
TOWSON, MARYLAND 21204
(301) 825-6860

WASHINGTON, D.C. OFFICE
225 SHOREHAM BUILDING
801 15TH STREET, N.W.
WASHINGTON, D.C. 20005

March 11, 1986

Arnold Jablon
Zoning Commissioner
Baltimore County Office of Planning & Zoning
Room 113
County Office Building
Towson, Maryland 21204

RE: Petition for Special Exception and Special Hearing
Case No. 86-354-XSPH

Dear Mr. Jablon:

Enclosed please find my check in the amount of \$100.75 as per your letter of March 5, 1986.

Very truly yours,

J. Carroll Holzer

JCH/dw
Lnc1.

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

FEBRUARY 13, 1986

Re: Zoning Advisory Meeting of December 17, 1985
Item # 207
GEORGE HELFRICH
Location: S/S Dogwood Road, 2338 W. of Rolling Rd.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- () There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () Forward by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () In records plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The parking arrangement is not satisfactory.
- () The parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-95 of the Development Regulations.
- () The proposed use of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board.
- () The proposed use complies with Baltimore County Landscaping Manual.
- () The property is located in a deficient service area as defined by S111 175-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued.
- () The property is located in a traffic area controlled by a "D" level intersection as defined by S111 175-79, and as conditions change, the property may be re-evaluated annually by the County Council.
- () Additional comments:

cc: James Howell

Esther A. Boler
Chief, Current Planning and Development

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
February 14, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

J. Carroll Holzer, Esquire
105 W. Chesapeake Avenue, Suite 110
Towson, Maryland 21204

RE: Item No. 207 - Case No. 86-354-XSPH
Petitioner - George Helfrich
Special Exception and Special Hearing
Petitions

Dear Mr. Holzer:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petitions. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petitions. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. These petitions were accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:nr
Enclosures

cc: Gerhold, Cross & Etzel
111 W. Chesapeake Avenue
Towson, Maryland 21204

J. CARROLL HOLZER
ATTORNEY AT LAW

HOLZER, MAYER & DENICO
SUITE 110 - 305 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204
4101 825-6960

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: February 14, 1986

Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petitions No. 86-349-SPhA, 86-350-A, 86-351-XA, 86-354-XSPH, 86-355-A, 86-356-A, 86-357-A, and 86-358-A

There are no comprehensive planning factors requiring comment on these petitions.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NBG:JGR:sim

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 16, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 207 -ZAC- Meeting of December 17, 1985
Property Owner: George Helfrich
Location: S/S Dogwood Road, 2338' W of Rolling Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Exception for utilization of the clubhouse as an area of social activities, including a liquor license, wherein meetings, dances and other social activities will be conducted, outdoor baseball, football, and soccer fields for those sports, 28.413
Acres: 1st
District: 1st

Dear Mr. Jablon:

This site has sight distance problems along Dogwood Road, due to the high hedges along the edge of the road. All of the entrances will be required to meet minimum county standards.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF/bld

2/11 86-354

BALTIMORE COUNTY DEPARTMENT OF HEALTH

12/19/85
Date

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 207, Zoning Advisory Committee Meeting of Dec. 17, 1985

Property Owner: George Helfrich

Location: S/S Dogwood Road, 2338' W of Rolling Rd District: 1st

Water Supply: Private Sewage Disposal: Private

COMMENTS ARE AS FOLLOWS:

() Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.

() Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.

() A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

() A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.

() Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.

() Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.

() Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.

() If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Zoning Item # 207 Zoning Advisory Committee Meeting of Dec. 17, 1985
Page 2

() Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.

() Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.

() Soil percolation tests (have been/must be) conducted.
{ } The results are valid until _____
{ } Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.

() Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.

() In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
{ } shall be valid until _____
{ } is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.

() Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.

() If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.

() Others: Before proposed camping activities can begin, Baltimore must first file an annual operating camp permit with this office. Additional soil percolation tests may also be required.

John J. Foxworth
John J. Foxworth, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1283 (2) A

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

December 18, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: George Helfrich

Location: S/S Dogwood Road, 2338' W of Rolling Road

Item No.: 207 Zoning Agenda: Meeting of December 17, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *John F. O'Neill* Noted and Approved: *John F. O'Neill*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI, JR.
DIRECTOR

January 16, 1986

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 207 Zoning Advisory Committee Meeting are as follows:

Property Owner: George Helfrich
Location: S/S Dogwood Road, 2338' W of Rolling Road
District: 1st

APPLICABLE TYPES ARE CIRCLED

() All structure shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.C.A. 11-111-1 - 1980) and other applicable Codes and Standards.

() A Building and other miscellaneous permits shall be required before the start of any construction.

() Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.

() Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Registered seals are not acceptable.

() All Use Groups except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. All Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1107, Section 406-A and Table 1107. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

() The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

() The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.

() When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from the _____ to the _____ or to Mixed Use. See Section 212 of the Building Code.

() The proposed project appears to be located in a Flood Plain, Flood/Revised. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

() Comments: See Section 103.1 as amended by Bill #17-85 which appears to be applicable.

() These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 112 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles J. Schuman
Charles J. Schuman, Chief
Building Permits Bureau

L/22/86

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 16, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 207 -ZAC- Meeting of December 17, 1985
Property Owner: George Helfrich
Location: S/S Dogwood Road, 2338' W of Rolling Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Exception for utilization of the clubhouse as an area of social activities, including a liquor license, wherein meetings, dances and other social activities will be conducted, outdoor baseball, football, and soccer fields for those sports; 28.413
Acres: 1st
District: 1st

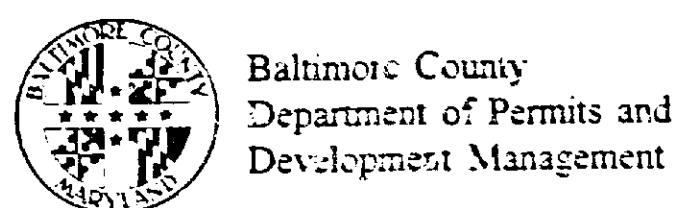
Dear Mr. Jablon:

This site has sight distance problems along Dogwood Road, due to the high hedges along the edge of the road. All of the entrances will be required to meet minimum county standards.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF/bld

2/11 86-354



Baltimore County
Department of Permits and
Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 24, 1998

George W. Helfrich
2516 Maryland Avenue
Baltimore, MD 21218

RE: Spirit & Intent Letter
Zoning Case #86-354-XSPH
1st Election District

Dear Mr. Helfrich:

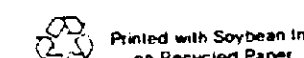
Your letter to Arnold Jablon, Director of Permits and Development Management, has been referred to me for reply. Attempts to reach you by telephone (410-944-4033) were unsuccessful. For a written response to your letter, a fee of \$40.00, payable to Baltimore County, Maryland, is required.

If you need further information or have any questions, please do not hesitate to contact me at 410-887-3331.

Very truly yours,

John J. Sullivan, Jr.
John J. Sullivan, Jr.
Planner II
Zoning Review

JJS:scj



Printed with Soybean Ink
on Recycled Paper

RECEIVED JUN 10 1998
944-4033

6/8/98
S
LOG

TO: JJS
STI?
6/8/98 uen

June 1, 1998: if verbal
no fee if in
writing need
\$40

Mr. Arnold Jablon
Director, PDM
Baltimore County Office Bldg.
111 West Chesapeake Ave.
Towson Md. 21204

*Re Zoning case #86-354-xspH

Dear Mr. Jablon,

I would like to know if as per order this miniature golf course and driving range can go on location shown on the attached rezoning plat and be approved without additional zoning hearings. The hours of operation will be from 9 AM till 10.

Sincerely yours,

George W. Helfrich
George W. Helfrich

RECEIVED
JUN 10 1998
944-4033

IN RE: PETITIONS SPECIAL EXCEPTION
AND HEARING
S/S of Dogwood Road,
2338 W of Rolling Road
1st Election District
George Helfrich -
Petitioner:

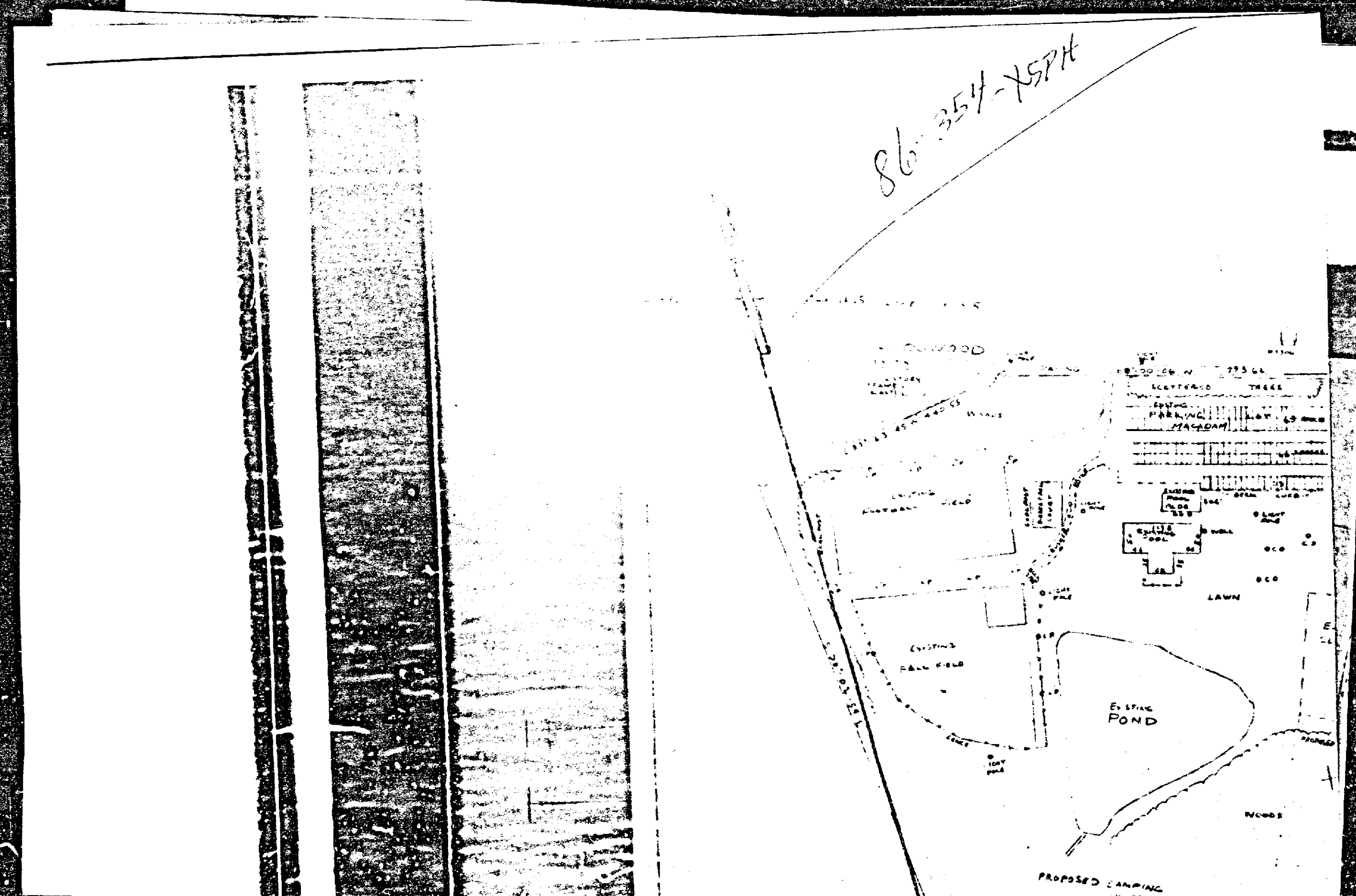
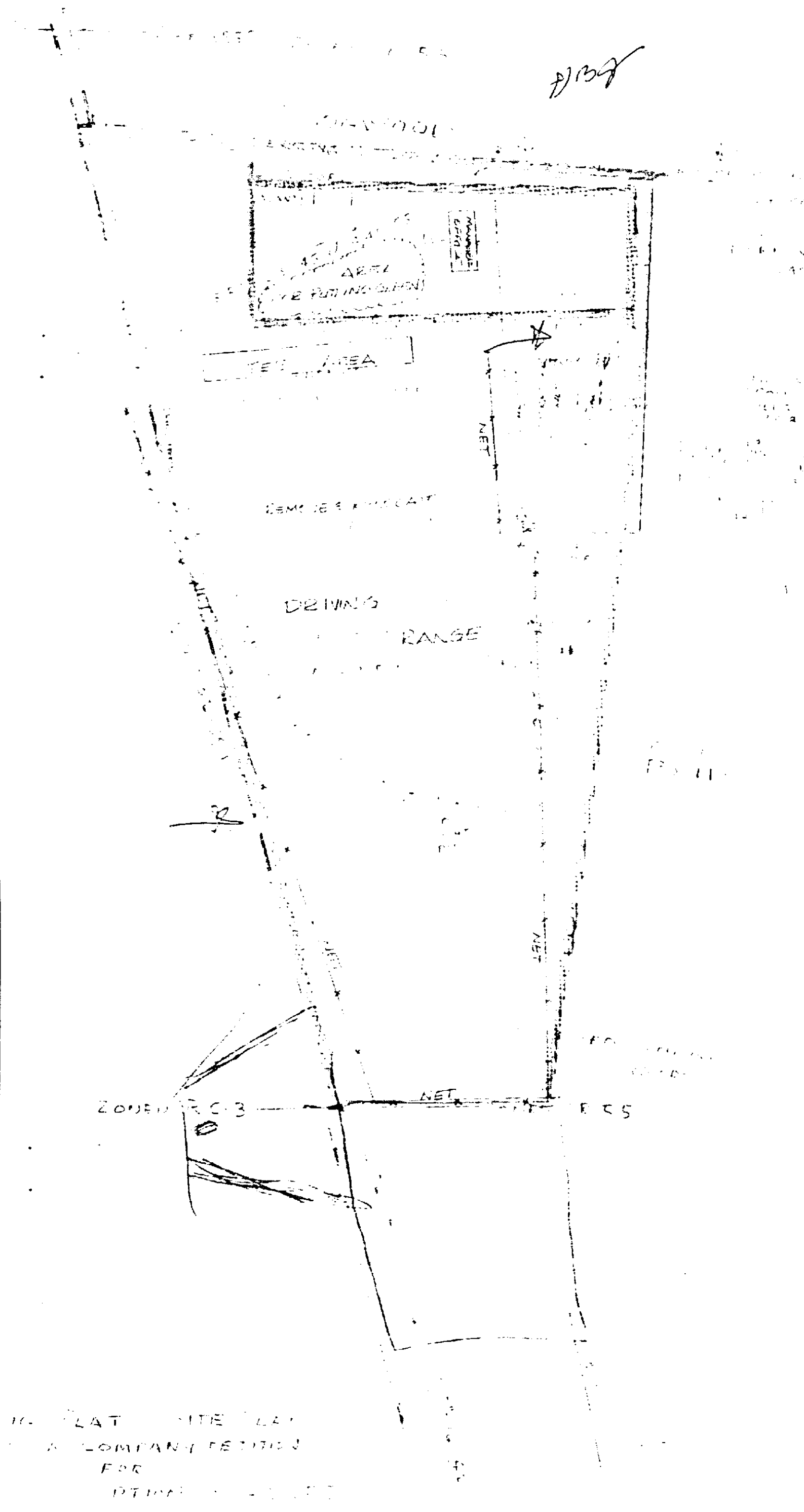
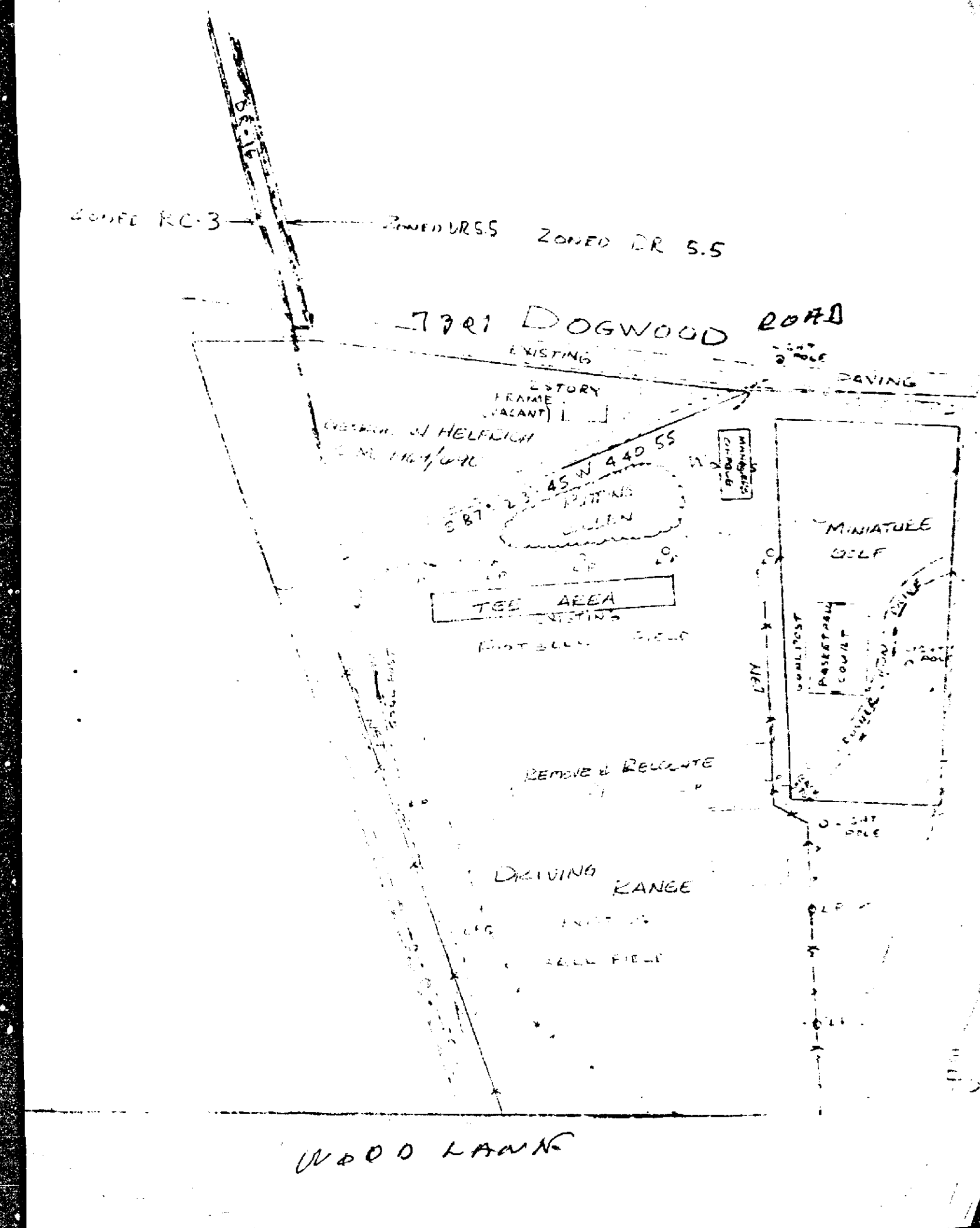
The Petitioner herein requests a special hearing for the installation of certain activities on the property, such activities being deemed to be nonconforming to the current D.R. 5.5 zoning ordinance. The social activities, including the utilization of a library, dance, meetings, dances, and other social activities have been held on the property; the woods which have been utilized for hiking, nature and other social activities; the pool which has been utilized for swimming and other aquatic activities; two clay tennis courts which have been utilized and a pool which has been used for canoeing, boating and fishing and so.

The Petitioner requests a special exception for the installation of the house as an area of social activities (including a library, dance, meetings, dances, and other social activities) will be conducted: ball, football, and soccer fields for those sports; a tennis court; the woods for hiking, camping and other nature activities; the swimming and other aquatic activities; a miniature golf course and a driving range; the right to utilize the clubhouse and well as a facility for football, basketball, or soccer; and parking for outdoor tenting and other outdoor recreational activities.

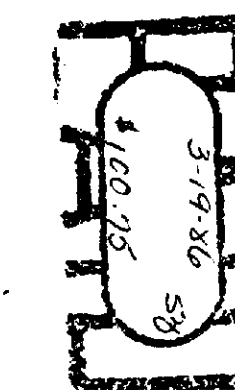
Testimony by and on behalf of the Petitioner shall be that the property has been in existence since the 1940's and both it and the grounds have been utilized by club members or private parties for outdoor recreation and socialization.

DATE May 15, 1998
BY [Signature]

WITNESSES



MAP 86-22-3
 E.D. 2
 DATE 11-1-79
 200
 1000
 DP



86-354-XSPH
 #207

George Helfrich
 2338 W of Rolling Road
 1st Election District
 1st Elec. Dist.

BALTIMORE COUNTY
 OFFICE OF PLANNING & ZONING
 TOWSON, MARYLAND 21204
 494-3353

ARNOLD JADLOV
 ZONING COMMISSIONER

May 15, 1986

J. Carroll Holzer, Esquire
 305 W. Chesapeake Avenue, Suite 110
 Towson, MD 21204

RE: PETITIONS SPECIAL EXCEPTION
 AND SPECIAL HEARING
 3/3 of Dogwood Road,
 2338 W of Rolling Road
 1st Election District
 George Helfrich, Petitioner
 Case No. 86-354-XSPH

Dear Mr. Holzer:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,
Jean M.H. Jung
 JEAN M. H. JUNG
 Deputy Zoning Commissioner

JMH:jbg

Attachments

cc: People's Counsel

Ms. Ann Dew
 7130 Dogwood Road
 Baltimore, Maryland 21207

IN RE: PETITIONS SPECIAL EXCEPTION
 AND HEARING
 S/S of Dogwood Road,
 2338 W of Rolling Road
 1st Election District
 George Helfrich -
 Petitioner

BEFORE THE
 DEPUTY ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Case No. 86-354-XSPH

The Petitioner herein requests a special hearing for the continued operation of certain activities on the property, such activities being determined to be nonconforming to the current D.R. 5.5 zone: utilization of the clubhouse for social activities, including the utilization of a liquor license, wherein meetings, dances, and other social activities have been conducted; outdoor baseball, football and soccer fields which have been utilized for those sports activities; the woods which have been utilized for hiking, camping and other nature activities; the pool which has been utilized for swimming and other aquatic activities; two clay tennis courts which have been utilized; and a pond, which has been used for canoeing, boating and fishing and/or

The Petitioner requests a special exception for utilization of the clubhouse as an area of social activities (including a liquor license) wherein meetings, dances, and other social activities will be conducted; outdoor baseball, football, and soccer fields for those sports activities; tennis facilities; the woods for hiking, camping and other nature activities; the pool for swimming and other aquatic activities; a miniature golf course and a golf driving range; the right to utilize the clubhouse and fields as a training facility for football, baseball, or soccer; and camping to include overnight tenting and other outdoor recreational activities.

Testimony by and on behalf of the Petitioner indicated that the clubhouse has been in existence since the 1940's and both it and the grounds have been utilized by club members or private parties (including companies and organized

groups) for meetings, dances and other social activities, many of which utilized a liquor license. The pool and pool house, since the early 1950's, have been utilized by club members, groups, those joining the pool for an annual membership and a day camp for one summer. Since the 1940's or early 1950's the pond, woods and open areas have been used for general recreational purposes including camping by members and the parking lot has been in existence. The earliest specific reference to basketball was "prior to 1961." Although the Petitioner testified that he saw fields (i.e. baseball, football and/or soccer) somewhere between 1952 and 1954, one person testified they were added about 1965, and another that they were added at the time the last building at Social Security was constructed. An undated letter from the President of the Wildwood Athletic Association, Inc., marked Petitioner's Exhibit 2, indicated that the organization built lighted football and softball fields subsequent to its purchase of the site in 1979. The tennis courts were added in 1971 according to one witness and after Potts and Callahan work according to another.

The Petitioner, in his special exception request, proposes to expand the facility by adding a miniature golf course and a golf driving range, and to obtain the right to utilize the clubhouse and fields as a training facility.

Testimony by a representative of a local improvement association indicated concern for proper management of the pool and other facilities and concern that there might be noise, vandalism and/or brawls by users of the facility. She urged pool admission by bonded membership only, that no amplifiers or rock groups be permitted and, in general, good management. She testified that the fields were constructed in 1977.

After due consideration, in the opinion of the Deputy Zoning Commissioner, the following enjoy a legal, nonconforming status as indicated on the plan prepared by Gerhold, Cross & Etzel, revised September 10, 1985 and marked Petitioner's Exhibit 1: clubhouse for social activities including music and liquor license, pool and pool house, recreational use (including camping) of pond, woods and open areas; parking lot, basketball court, fields (baseball, football and soccer) and tennis courts.

- 2 -

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for utilization of the clubhouse as an area of social activities, (including a liquor license) wherein meetings, dances and other social activities will be conducted; outdoor baseball, football, and soccer fields for those sports activities; tennis facilities; the woods which have been utilized for hiking, camping and other nature activities; the pool which has been utilized for swimming and other aquatic activities; a miniature golf course and a golf driving range.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
 (Type or Print Name)
 Signature
 Address
 City and State

Legal Owner(s):
 George Helfrich
 (Type or Print Name)
 Signature
 (Type or Print Name)
 Signature

Attorney for Petitioner:
 J. Carroll Holzer
 (Type or Print Name)
 Signature
 Address
 City and State

2516 Maryland Avenue
 Address
 Phone No.
 Baltimore, Maryland 21218
 City and State

305 W. Chesapeake Ave., Suite 110
 Address
 Towson, Maryland 21204
 City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
 Name
 Address
 Phone No.

Attorney's Telephone No.: 825-6960

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day of February, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11th day of March, 1986, at 1:30 o'clock

Jean M.H. Jung
 Zoning Commissioner of Baltimore County.

(over)

(cont'd.)
 range; the right to utilize the clubhouse and fields as a training facility for football, baseball, or soccer. Camping to include overnight tenting and other outdoor recreational activities; all pursuant to Baltimore County zoning regulations, Section 1801.1.C.6

tioner's Exhibit 1: clubhouse for social activities including music and liquor license, pool and pool house, recreational use (including camping) of pond, woods and open areas; parking lot and a basketball court.

It appears that fields, baseball, football and soccer, as well as tennis courts, have been added later and have been within, but totally utilized, the 25% expansion allowed by the Baltimore County Zoning Regulations (BCZR).

Pursuant to the advertisement, posting of property, and public hearing on the Petitions, and after due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, the requirements of Section 502.1, BCZR, have been met and the health, safety and general welfare of the community will not be adversely affected, and, therefore, the Special Hearing and Special Exception should be granted in part, subject, however, to the limitations on the Special Hearing reflecting the findings noted above and to restrictions on the Special Exception.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 15th day of May, 1986, that the herein Petition for Special Hearing for the continued operation of certain activities on the property, such activities being determined to be nonconforming to the current D.R.5.5 zone: utilization of the clubhouse for social activities, including the utilization of a liquor license, wherein meetings, dances, and other social activities have been conducted; the woods which have been utilized for hiking, camping and other nature activities; the pool which has been utilized for swimming and other aquatic activities; and a pond which has been used for canoeing, boating and fishing; and, additionally, the Petition for Special Exception for a miniature golf course and a golf driving range; all in accordance with Petitioner's Exhibit are hereby GRANTED, from and after the date of this Order, subject, however, to the following limitations on the Special Hearing reflecting the testimony and evidence presented:

1. The nonconforming uses, including their permitted 25% expansion, shall not extend beyond the clubhouse for social activities including music and liquor license, pool and pool house, recreational use (including camping) of pond, woods and open areas; parking lot, basketball court, fields (baseball, football and soccer) and tennis courts.
2. There shall be no concerts whose attendance will cause the parking lot to overflow or cause noise/sound in violation of Baltimore County nuisance laws.
3. No amplifiers shall be used after 11:00 p.m.
4. All activities, except camping, shall cease by 2:00 a.m. Friday and Saturday, and midnight Sunday through Thursday.
5. The pool shall not be open to the public as a commercial business with daily admission, but available to organized groups or to individuals and families who are club members, or who have paid an annual membership fee and to their specified guests for whom they are responsible.

and to the following restrictions on the Special Exception:

1. The driving range and miniature golf activities shall cease by 10:00 p.m.
2. Adequate parking in accordance with current BCZR shall be provided for the miniature golf course and the golf driving range.
3. The pool shall be operated in accordance with all Health Department requirements.
4. All facilities shall be closed and the two entrances to the parking lot secured with a cable/chain unless there is, on the property, a manager or person responsible to the owner. That manager is responsible for seeing that there is no illegal drug and/or alcohol consumption on the property.

A special exception for the right to utilize the clubhouse and fields as a training facility for football, baseball, or soccer is hereby DENIED.

Jean M.H. Jung
 Deputy Zoning Commissioner
 of Baltimore County

ORDER RECEIVED FOR FILING
 DATE May 15 1986
 BY *Jean M.H. Jung*

ORDER RECEIVED FOR FILING
 DATE May 15 1986
 BY *Jean M.H. Jung*

ORDER RECEIVED FOR FILING
 DATE May 15 1986
 BY *Jean M.H. Jung*

ORDER RECEIVED FOR FILING
 DATE May 15 1986
 BY *Jean M.H. Jung*

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commission and/or Deputy Zoning Commissioner should approve the continued operation of certain activities on the property, such activities as hereinafter described having been in continuous use and operation since 1962, such activities being determined to be non-conforming to the D.R. 5.5 Zone, which is presently applied to the property. Such activities which have been in continuous use are utilization of the clubhouse as an area of social activities, including the utilization of a liquor license wherein meetings, dances and other social activities. Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

(Type or Print Name)

Signature

Address

City and State

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

City and State

Attorney's Telephone No.:

Address

City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of February, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11th day of March, 1986, at 1:30 o'clock P.M.

Carl J. Jolson
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR SPECIAL HEARING : OF BALTIMORE COUNTY
S/S Dogwood Rd., 2338' W of Rolling Rd., 1st District
GEORGE HELFRICH, Petitioner : Case No. 86-354-XSPH

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 25th day of February, 1986, a copy of the foregoing Entry of Appearance was mailed to J. Carroll Holzer, Esquire, 305 W. Chesapeake Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

(con'd.)

have been conducted, outdoor baseball, football and soccer fields have been utilized for those sports activities; the woods which have been utilized for hiking, camping and other nature activities, the pool which has been utilized for swimming and other aquatic activities. Two clay tennis courts have also been in existence and utilized during the life of this facility. Finally, a pond which is located on the property has also been used for canoeing, boating and fishing throughout the life of this operation existing on site since 1962.

CARL L. GERHOLD
PHILIP S. GRUBB
JOHN F. ETZEL
WILLIAM L. HARRIS
ROBERT T. LANGDON

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204
823-4470

April 9, 1985

Zoning Description

All that piece or parcel of land situate, lying and being in the First Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at a point in Dogwood Road distant 2338 feet westerly measured along Dogwood Road from Rolling Road and thence running and blinding in Dogwood Road, North 68 degrees 00 minutes 06 seconds West 773.62 feet, thence leaving Dogwood Road and running for the property lines of the petitioner herein, the six following courses and distances viz: South 87 degrees 23 minutes 45 seconds West 440.55 feet, South 0 degrees 02 minutes 59 seconds East 1036.74 feet, South 7 degrees 16 minutes 42 seconds West 353.27 feet, South 62 degrees 33 minutes 22 seconds East 495.51 feet, North 29 degrees 22 minutes 02 seconds East 671.55 feet and North 29 degrees 37 minutes 02 seconds East 874.50 feet to the place of beginning.

Containing 28.413 Acres of land more or less.

Being the property of the petitioner herein and shown on a plat filed with the Baltimore County Zoning Department.



PETITIONS FOR SPECIAL HEARING AND EXCEPTION

1st Election District

LOCATION: South Side of Dogwood Road, 2338 feet West of Rolling Road

DATE AND TIME: Tuesday, March 11, 1986, at 1:30 p.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing for continued operation of certain activities on the property, such activities being determined to be non-conforming to the D.R. 5.5 Zone presently zoned, and such activities are: utilization of the clubhouse for social activities, including the utilization of a liquor license wherein meetings, dances, and other social activities have been conducted; outdoor baseball, football and soccer fields have been utilized for those sports activities; the woods which have been utilized for hiking, camping and other nature activities; the pool which has been utilized for swimming and other aquatic activities; two clay tennis courts which have been utilized; and a pond, located on the property, which has been used for canoeing, boating and fishing.

Petition for Special Exception for utilization of the clubhouse as an area of social activities (including a liquor license) wherein meetings, dances, and other social activities will be conducted, outdoor baseball, football, and soccer fields for those sports activities; tennis facilities; the woods which have been utilized for hiking, camping and other nature activities; the pool which has been utilized for swimming and other aquatic activities; a miniature golf course and a golf driving range; the right to utilize the clubhouse and fields as a training facility for football, baseball, or soccer; and camping to including overnight tenting and other outdoor recreational activities.

Being the property of George Helfrich, as shown on plat plan filed with the Zoning Office.

In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 20, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on February 20, 1986.

THE JEFFERSONIAN,

18 Kentish
Publisher

Cost of Advertising

44.00

PETITIONS FOR SPECIAL HEARING AND EXCEPTION
1st Election District
LOCATION: South Side of Dogwood Road, 2338 feet West of Rolling Road
DATE AND TIME: Tuesday, March 11, 1986, at 1:30 p.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Special Hearing for continued operation of certain activities on the property, such activities being determined to be non-conforming to the D.R. 5.5 Zone presently zoned, and such activities are: utilization of the clubhouse for social activities, including the utilization of a liquor license wherein meetings, dances, and other social activities have been conducted; outdoor baseball, football and soccer fields have been utilized for those sports activities; the woods which have been utilized for hiking, camping and other nature activities; the pool which has been utilized for swimming and other aquatic activities; two clay tennis courts which have been utilized; and a pond, located on the property, which has been used for canoeing, boating and fishing throughout the life of this operation existing on site since 1962.

Petition for Special Exception for utilization of the clubhouse as an area of social activities (including a liquor license) wherein meetings, dances, and other social activities will be conducted, outdoor baseball, football, and soccer fields for those sports activities; tennis facilities; the woods which have been utilized for hiking, camping and other nature activities; the pool which has been utilized for swimming and other aquatic activities; a miniature golf course and a golf driving range; the right to utilize the clubhouse and fields as a training facility for football, baseball, or soccer; and camping to including overnight tenting and other outdoor recreational activities.

Being the property of George Helfrich, as shown on plat plan filed with the Zoning Office.

In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-1053

ARNOLD JABLON
ZONING COMMISSIONER

March 5, 1986

J. Carroll Holzer, Esquire
305 West Chesapeake Avenue
Suite 110
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND EXCEPTION
S/S Dogwood Rd., 2338' W of Rolling Rd.
1st Election District
George Helfrich - Petitioner
Case No. 86-354-XSPH

Dear Mr. Holzer:

This is to advise you that \$100.75 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to the County Office Building, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 018538

DATE 3/16/86 ACCOUNT P-01-613-VMD

SIGNATURES TO BE RETURNED

AMOUNT \$ 100.75

RECEIVED Holzer, Maher & DeMillo

FOR: Advertising & Costs - re: Case No. 86-354-XSPH

9 0117*****100715 0204F

VALIDATION OR SIGNATURE OF CARRIER

Office of
PATUXENT
PUBLISHING CORP.

10750 Lutz Patuxent Place
Columbia, MD 21044

February 20, 1986

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR SPECIAL HEARING & EXCEPTION

was inserted in the following:

THE JEFFERSONIAN
A weekly newspaper published in Baltimore County, Maryland

once a week for one successive weeks before the 22 day of February, 1986, that is to say, the same was inserted in the issues of

February 20, 1986

PATUXENT PUBLISHING CORP.
By *[Signature]*

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

CERTIFICATE OF PUBLICATION OF

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1st Date of Posting 2-28-86
Posted for: Special Hearing and Special Exception
Petitioner: George Helfrich
Location of property: 5/5 of Dogwood Road, 2338' W of Rolling Road
Location of Sign: Sign on south side of Dogwood Road opposite 2338' W of Rolling Road
Remarks: Rolling Road and Dogwood Road, side of Dogwood Road opposite 2338' W of Rolling Road
Posted by: M. J. Dyer Date of return: 2-28-86
Number of Signs: 4

J. Carroll Holzer, Esquire
305 West Chesapeake Avenue, Suite 110
Towson, Maryland 21204

NOTICE OF HEARING

RE: PETITIONS FOR SPECIAL HEARING AND EXCEPTION
S/S Dogwood Road, 2338' W of Rolling Road
1st Election District
George Helfrich - Petitioner
Case No. 86-354-XSPH
TIME: 1:30 p.m.
DATE: Tuesday, March 11, 1986
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

LAW OFFICES
HOLZER, MAHER & DEMILIO

RONALD L. MAHER
J. CARROLL HOLZER
CAROLE S. DEMILIO
SUITE 110
TOWSON, MARYLAND 21204
(301) 825-6860
WASHINGTON, D.C. OFFICE
225 SHOREHAM BUILDING
801 15TH STREET, N.W.
WASHINGTON, D.C. 20005
PLEASE REPLY TO:
TOWSON

March 6, 1986

Jean Jung, Deputy Zoning Commissioner
Room 109
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Hearing: Tuesday, March 11, 1986
George Helfrich

Dear Mr. Jung:

I received a call today from my client, Mr. Helfrich indicating that the key witness necessary to establish the continued operations of this Club over the past 25 year will be unable to travel from the Eastern Shore of Maryland to Towson by 1:30 p.m. for our Hearing. It is expected that he will not be able to arrive until 3:30 p.m. I would very much appreciate whatever consideration may be extended in order to accommodate this scheduling difficulty that I find myself in regarding this witness.

I called your office about the problem and your secretary indicated that it should be handled on the day of the hearing; however, I believe you are entitled to having the courtesy of knowing my problem at an earlier stage. I am also concerned that confusion could arise if the problem is not resolved before hand.

Thank you very much for any advice that you may be able to provide in regard to this difficulty.

Very truly yours,
J. Carroll Holzer

JCH:lm

Wildwood Athletic Assn., Inc.

7301 DOGWOOD ROAD
BALTIMORE, MARYLAND 21207
PHONE 944-1044

Dear Mr. William Hammond,

Mrs. Deborah Brown, Executive Director of the Western Family Branch YMCA recently applied for a permit to run a day camp on our property. The YMCA has no reason to believe that the permit would not be granted along with their Rolling Road Day Camp location permit, so 20,000 day camp information papers were distributed during the month of March advertising a high quality, low cost camp available for residents of the Woodlawn area. Thirty eight children had already registered and paid in full for the Wildwood Day Camp when Mrs. Brown was informed by the County Court House that there would have to be a hearing for an exception to have camp on our property. After numerous visits to the County Court House by Mrs. Brown and then myself, it became evident that prescribed procedures for a hearing would prohibit the opening of camp in time for the summer of 83.

Our club, Wildwood Athletic Assn., Inc., was started in 1947 and through the years has sponsored childrens teams in all types of sports and recreational activities. In 1979 we purchased the old Woodlawn country Club at 7301 Dogwood Road with the intent of making a sports complex for the community. We are a non-profit charitable organization. We sponsor youth activities in swimming, soccer, and football for children from all over the county using our facilities. We have built a lighted football field and softball field, lighted basketball and volleyball courts and maintain an olympic size pool. All our work has and is done by volunteers with the exception of life guards at the pool during the summer.

Although we are a private club we have tried to let the community make use of our property (28.4 acres). We have let the VFW, Moose, Elks, Easter Seals Marathon, Muscular Dystrophy, Boy Scouts and many others take advantage of our location.

The YMCA Day Camp would utilize our property the same way our members have in the past. They would use the woods, sports fields and courts, swimming pool and bath house, 9:00am-4:00pm Monday through Friday for children ages 5 to 12 years old. Since this benefits the community and will operate within the guidelines of use of the property already in effect, I feel that an exception could be made even if only for this year.

Time is of the essence. I would appreciate your help in this matter and will look forward to hearing from you this week for any further information you may need to grant this permit for the summer of 83. Thank you very much for your consideration.

PETITIONER'S EXHIBIT 2

Sincerely yours,
Robert Leishear
President Wildwood A.F. Inc.
944-1044 after 4pm 7 days wkly

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 4th day of February, 1986

ARNOLD JABLON
Zoning Commissioner

Petitioner: George Helfrich
Petitioner's Attorney: J. Carroll Holzer, Esquire
Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY, MARYLAND No. 016052
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 12/9/85 ACCOUNT: 801-615-000
1/25/86 AMOUNT: \$ 200.00
RECEIVED FROM: Carol A. Holzer
FOR: J. Carroll Holzer
VALIDATION OR SIGNATURE OF CARRIER



YMCA of Greater Baltimore Area

Shaping young Baltimore's values since 1853.
WESTERN DISTRICT
Howard County Branch
(301) 467-4334
4331 Montgomery Road
Baltimore City, Maryland 21205

Western Family Branch
(301) 747-9622
850 S. Rolling Road
Baltimore, Maryland 21228

May 8, 1983

Re: Proposed YMCA Day Camp
7301 Dogwood Road

Dear Mr. Hammond,

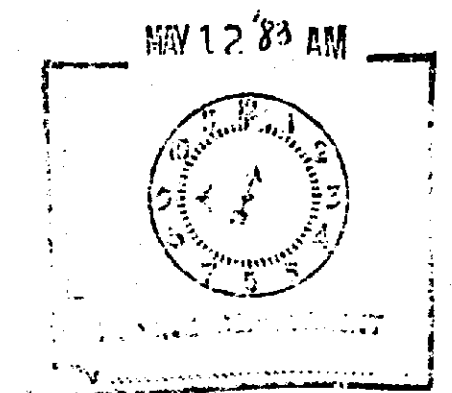
With the growing need for youth programs during the summer, the YMCA of Greater Baltimore has made an effort to expand its Day Camp Programs throughout the area. Our primary goal is to provide a high quality, low cost camp that will give the children the opportunity to learn to swim, learn sportsmanship in team sports, gain confidence through working with others in arts, crafts, music and nature lore and have a sense of security while camping by experiencing an outdoor environment a short distance from home.

The proposed Wildwood Camp location would be a perfect spot for the children living in the Woodlawn area.

I send my hopes, along with Mr. Leishear's letter, that you will be able to make this camp a reality this summer.

Sincerely,

Debbie Brown
Executive Director
Western Family Branch YMCA



Gifts and bequests to the YMCA endowment fund help perpetuate services to youth



A United Way Agency

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

WILLIAM E. HAMMOND
ZONING COMMISSIONER

May 27, 1983

Ms. Debbie Brown
Executive Director
Western Family Branch YMCA
850 S. Rolling Road
Baltimore, Maryland 21228

Re: Proposed YMCA Day Camp
7301 Dogwood Road
1st Election District

Dear Ms. Brown:

Regarding your letter of May 8, 1983 with reference to the above, this is to advise that your request will be approved for this year only. If you propose to operate a day camp next year, a special exception will have to be obtained prior to approval.

Through a subsequent telephone conversation, Mr. Robert Leishear, President of the Wildwood Athletic Association, Inc., was advised that in the absence of verifiable documentation as to the alleged nonconforming status of his club, a special exception will be required.

If I can be of any further assistance, please feel free to contact me.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chief, Development Control

NBC:aj

cc: Mr. William E. Hammond
Zoning Commissioner

Mrs. Jean M. H. Jung
Deputy Zoning Commissioner

Mr. James E. Dyer
Zoning Supervisor

LAW OFFICES
HOLZER, MAHER & DEMILIO

RONALD L. MAHER
J. CARROLL HOLZER
CAROLE S. DEMILIO
SUITE 110
TOWSON, MARYLAND 21204
(301) 825-6860
WASHINGTON, D.C. OFFICE
225 SHOREHAM BUILDING
801 15TH STREET, N.W.
WASHINGTON, D.C. 20005
PLEASE REPLY TO:
TOWSON

March 11, 1986

Arnold Jablon
Zoning Commissioner
Baltimore County Office of Planning & Zoning
Room 113
County Office Building
Towson, Maryland 21204

RE: Petition for Special Exception and Special Hearing
Case No. 86-354-XSPH

Dear Mr. Jablon:

Enclosed please find my check in the amount of \$100.75 as per your letter of March 5, 1986.

Very truly yours,

Carroll Holzer

JCH/dw
Lnc1.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

MR. ARNOLD JABLON
Zoning Commissioner
County Office Building
Towson, Maryland 21204

FEBRUARY 13, 1986

Re: Zoning Advisory Meeting of December 17, 1985
Item # 207
GEORGE HELFRICH
Location: S/S Dogwood Road, 2338' W. of Rolling Rd.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- () There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () Forward by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () The access to the site must be shown and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The parking arrangement is not satisfactory.
- () The parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-95 of the Development Regulations.
- () The proposed use of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board.
- () The proposed use is not in a designated County Landmark.
- () The property is located in a deficient service area as defined by S11 175-79. The building permit may be issued until a Reserve Capacity Use Certificate has been issued.
- () The property is located in a traffic area controlled by a "T" level intersection as defined by S11 175-79, and as conditions change, the property may be re-evaluated annually by the County Council.
- () Additional comments:

cc: James Howell

Esther A. Boler
Chief, Current Planning and Development

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
February 14, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

J. Carroll Holzer, Esquire
105 W. Chesapeake Avenue, Suite 110
Towson, Maryland 21204

RE: Item No. 207 - Case No. 86-354-XSPH
Petitioner - George Helfrich
Special Exception and Special Hearing
Petitions

Dear Mr. Holzer:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petitions. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petitions. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. These petitions were accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:nr
Enclosures

cc: Gerhold, Cross & Etzel
111 W. Chesapeake Avenue
Towson, Maryland 21204

J. CARROLL HOLZER
ATTORNEY AT LAW

HOLZER, MAYER & DENICO
SUITE 110 - 305 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204
4101 825-6960

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

Date: February 14, 1986

SUBJECT: Zoning Petitions No. 86-349-SPhA, 86-350-A, 86-351-XA, 86-354-XSPH, 86-355-A, 86-356-A, 86-357-A, and 86-358-A

There are no comprehensive planning factors requiring comment on these petitions.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:JGR:sim

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 16, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 207 -ZAC- Meeting of December 17, 1985
Property Owner: George Helfrich
Location: S/S Dogwood Road, 2338' W of Rolling Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Exception for utilization of the clubhouse as an area of social activities, including a liquor license, wherein meetings, dances and other social activities will be conducted, outdoor baseball, football, and soccer fields for those sports, 28.413
Acres: 1st
District: 1st

Dear Mr. Jablon:

This site has sight distance problems along Dogwood Road, due to the high hedges along the edge of the road. All of the entrances will be required to meet minimum county standards.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MEF/bld

2/11 86-354

BALTIMORE COUNTY DEPARTMENT OF HEALTH

12/19/85
Date

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 207, Zoning Advisory Committee Meeting of Dec. 17, 1985

Property Owner: George Helfrich
Location: S/S Dogwood Road, 2338' W of Rolling Rd District: 1st
Water Supply: Private Sewage Disposal: Private

COMMENTS ARE AS FOLLOWS:

() Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.

() Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.

() A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

() A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.

() Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.

() Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.

() Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.

() If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Zoning Item # 207 Zoning Advisory Committee Meeting of Dec. 17, 1985
Page 2

() Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.

() Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.

() Soil percolation tests (have been/must be) conducted.
{ } The results are valid until _____
{ } Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.

() Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.

() In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
{ } shall be valid until _____
{ } is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.

() Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.

() If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.

() Others Before proposed camping activities can begin, Baltimore must first file an annual operating camp permit with this office. Additional soil percolation tests may also be required.

John J. Foxworth
John J. Foxworth, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1283 (2) A

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

December 18, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: George Helfrich
Location: S/S Dogwood Road, 2338' W of Rolling Road
Item No.: 207 Zoning Agenda: Meeting of December 17, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *John F. O'Neill* Noted and Approved: *John F. O'Neill*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI, JR.
DIRECTOR

January 16, 1986

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 207 Zoning Advisory Committee Meeting are as follows:
Property Owner: George Helfrich
Location: S/S Dogwood Road, 2338' W of Rolling Road
District: 1st

APPLICABLE TYPES ARE CIRCLED

() All structure shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.C.A. 11-111-1 - 1980) and other applicable Codes and Standards.

() A Building and other miscellaneous permits shall be required before the start of any construction.

() Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.

() Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Registered seals are not acceptable.

() All Use Groups except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. All Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1107, Section 406-A and Table 1107. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

() The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

() The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.

() When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from the _____ to the _____ or to Mixed Use. See Section 212 of the Building Code.

() The proposed project appears to be located in a Flood Plain, Flood/Recreation. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

() Comments: See Section 103.1 as amended by Bill #17-85 which appears to be applicable.

() These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 112 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles J. Schuman
Charles J. Schuman, Director
Building Permits Bureau

L/22/86

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 16, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 207 -ZAC- Meeting of December 17, 1985
Property Owner: George Helfrich
Location: S/S Dogwood Road, 2338' W of Rolling Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Exception for utilization of the clubhouse as an area of social activities, including a liquor license, wherein meetings, dances and other social activities will be conducted, outdoor baseball, football, and soccer fields for those sports, 28.413
Acres: 1st
District: 1st

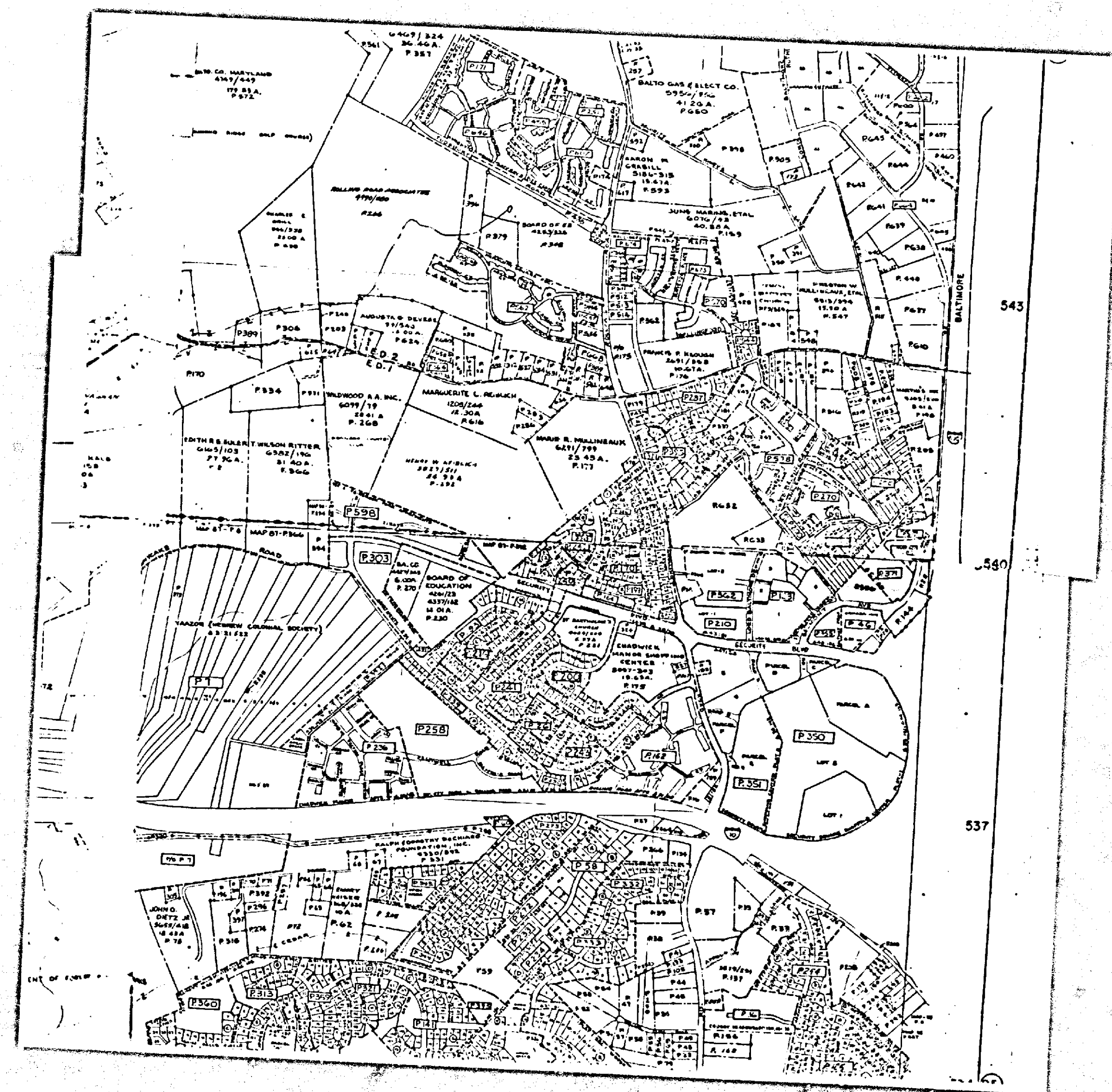
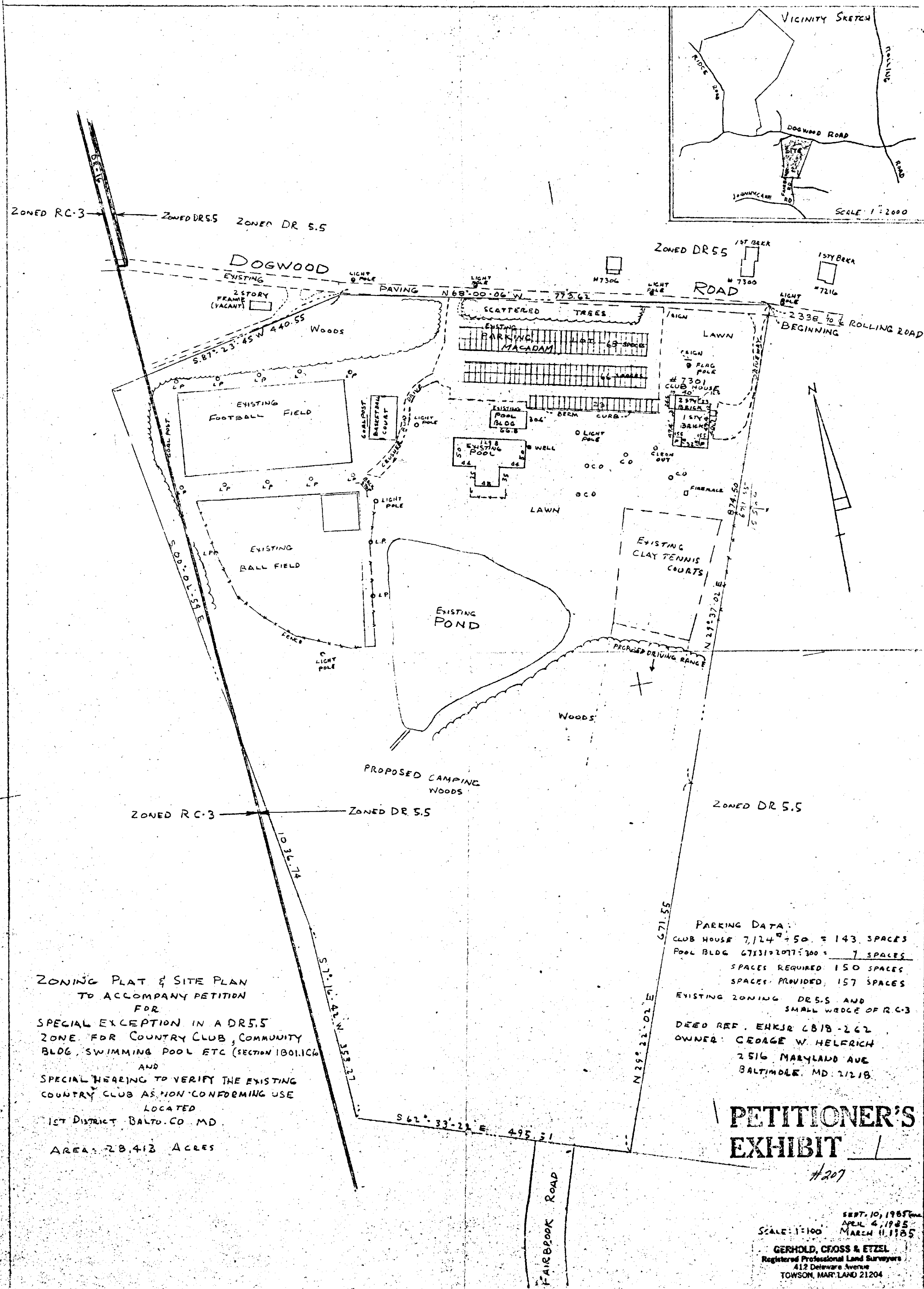
Dear Mr. Jablon:

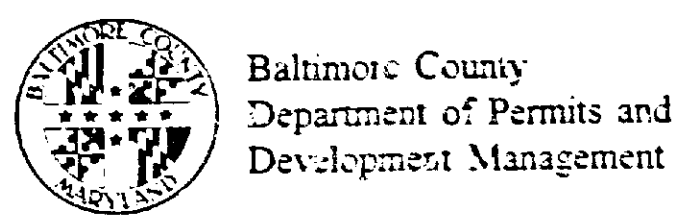
This site has sight distance problems along Dogwood Road, due to the high hedges along the edge of the road. All of the entrances will be required to meet minimum county standards.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MEF/bld

2/11 86-354





Baltimore County
Department of Permits and
Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 24, 1998

George W. Helfrich
2516 Maryland Avenue
Baltimore, MD 21218

RE: Spirit & Intent Letter
Zoning Case #86-354-XSPH
1st Election District

Dear Mr. Helfrich:

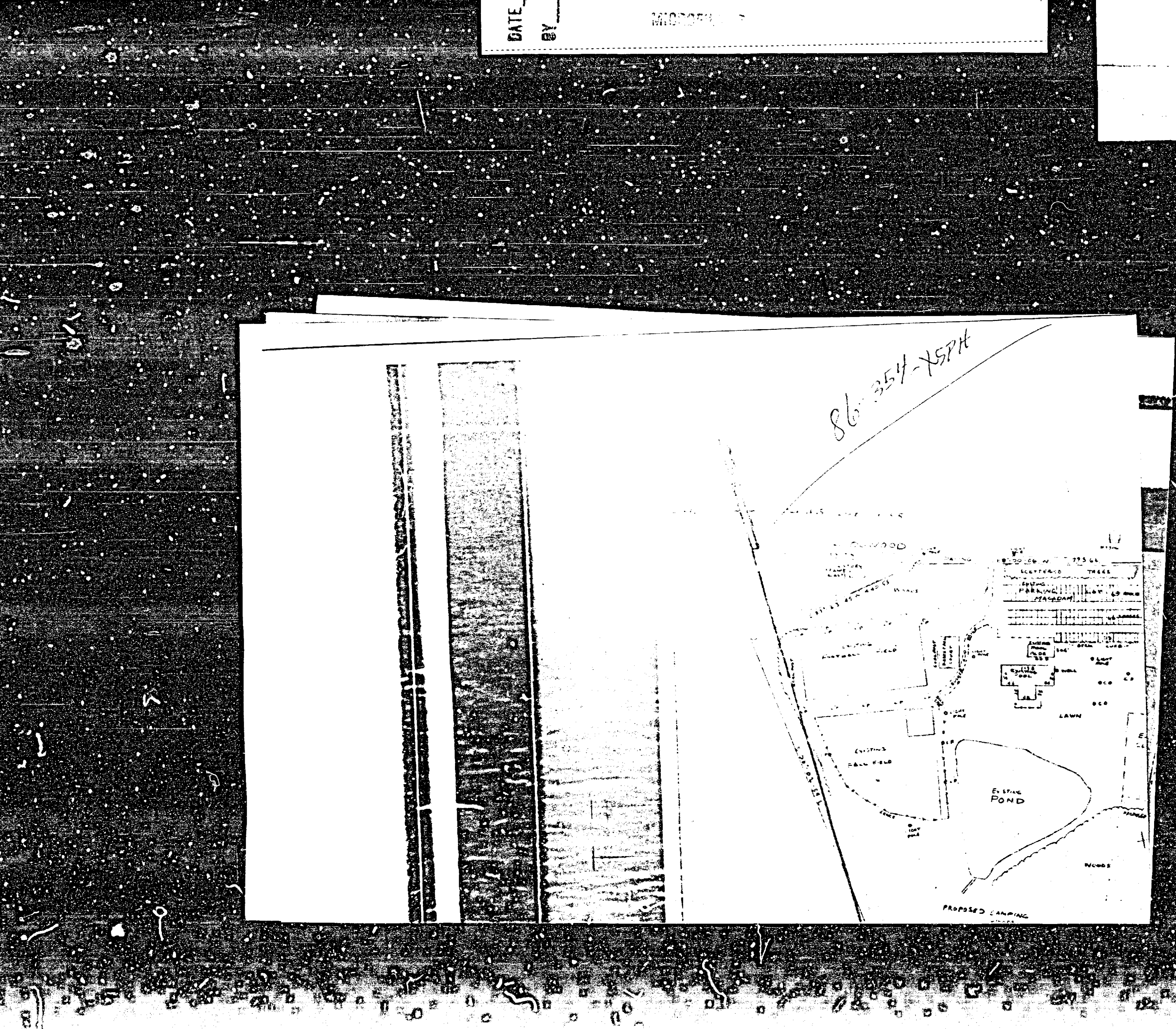
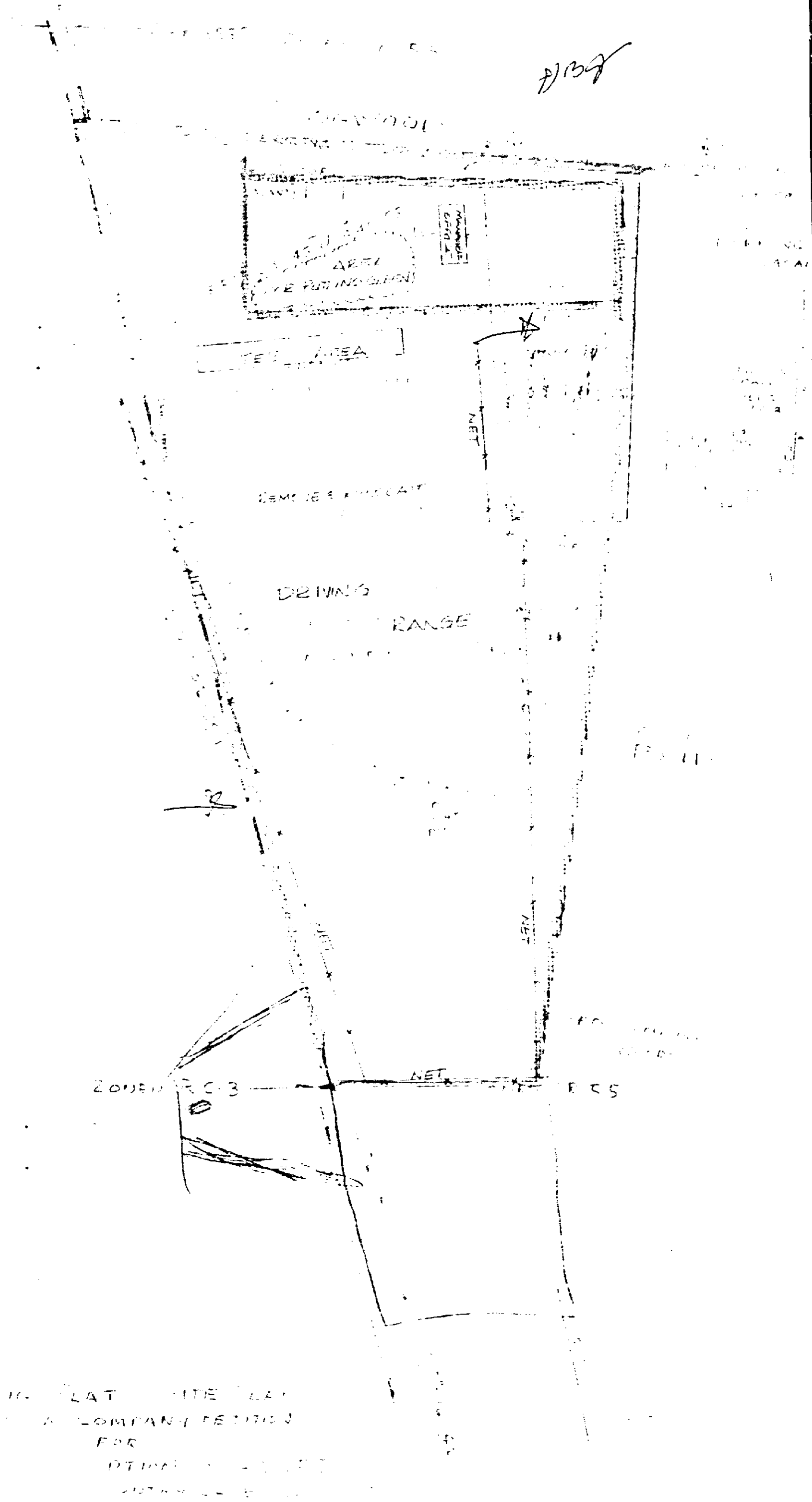
Your letter to Arnold Jablon, Director of Permits and Development Management, has been referred to me for reply. Attempts to reach you by telephone (410-944-4033) were unsuccessful. For a written response to your letter, a fee of \$40.00, payable to Baltimore County, Maryland, is required.

If you need further information or have any questions, please do not hesitate to contact me at 410-887-3331.

Very truly yours,

John J. Sullivan, Jr.
John J. Sullivan, Jr.
Planner II
Zoning Review

JJS:scj



RECEIVED JUN 10 1998
6/8/98
TO: JJS
ST: I?
6/8/98 uen
June 1, 1998: if verbal
no fee if in
writing need
\$40

Mr. Arnold Jablon
Director, PDM
Baltimore County Office Bldg.
111 West Chesapeake Ave.
Towson Md. 21204

*Re Zoning case #86-354-xspH

Dear Mr. Jablon,

I would like to know if as per order this miniature golf course and driving range can go on location shown on the attached rezoning plat and be approved without additional zoning hearings. The hours of operation will be from 9 AM till 10.

Sincerely yours,
George W. Helfrich
George W. Helfrich

RECEIVED
JUN 8 1998
48-2297

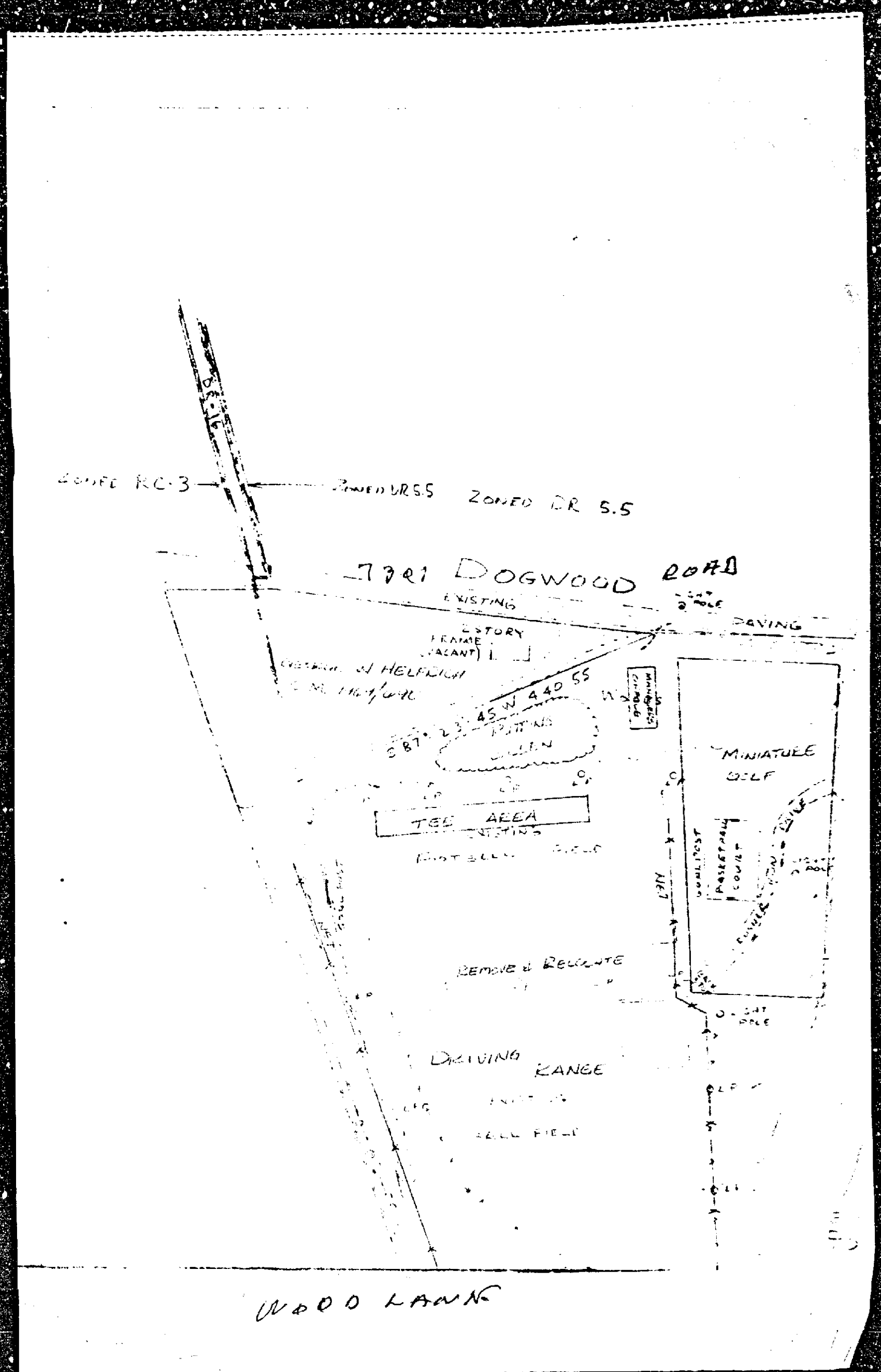
IN RE: PETITIONS SPECIAL EXCEPTION
AND HEARING
S/S of Dogwood Road,
2338 W of Rolling Road
1st Election District
George Helfrich -
Petitioner

DATE: 6/15/98
BY: [Signature]

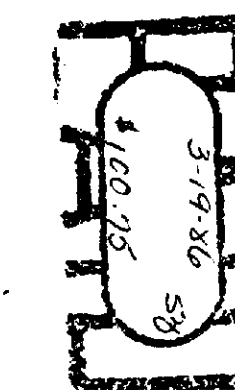
The Petitioner herein requests a special hearing for the installation of certain activities on the property, such activities being deemed to be nonconforming to the current D.B. 5.5 zoning ordinance of the District. The social activities, including the utilization of the property for: literary, social meetings, dances, and other social activities have been held on the property; ball, football and soccer fields which have been utilized for those sports activities; the woods which have been utilized for hiking, nature and other outdoor activities; the pool which has been utilized for swimming and other aquatic activities; two clay tennis courts which have been utilized and a pool which has been used for canoeing, boating and fishing and so.

The Petitioner requests a special exception for the location of the house as an area of social activities (including literary, social meetings, dances, and other social activities will be conducted; ball, football, and soccer fields for those sports activities; tennis facilities; the woods for hiking, camping and other outdoor activities; the pool for swimming and other aquatic activities; a miniature golf course and a driving range; the right to utilize the clubhouse and well as a recreation facility for football, basketball, or soccer; and parking to include tenting and other outdoor recreational activities.

Testimony by and on behalf of the Petitioner shall be that the property has been in existence since the 1940's and both it and the grounds have been utilized by club members or private parties for literary, social and recreational



MAP 86-22-3
 E.D. 2
 DATE 11-1-79
 200
 1000
 DP



86-354-XSPH
 #207

George Helfrich
 2338 W of Rolling Road
 1st Election District
 1st Elec. Dist.

BALTIMORE COUNTY
 OFFICE OF PLANNING & ZONING
 TOWSON, MARYLAND 21204
 494-3353

ARNOLD JADLOV
 ZONING COMMISSIONER

May 15, 1986

J. Carroll Holzer, Esquire
 305 W. Chesapeake Avenue, Suite 110
 Towson, MD 21204

RE: PETITIONS SPECIAL EXCEPTION
 AND SPECIAL HEARING
 3/3 of Dogwood Road,
 2338 W of Rolling Road
 1st Election District
 George Helfrich, Petitioner
 Case No. 86-354-XSPH

Dear Mr. Holzer:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

Jean M.H. Jung
 JEAN M. H. JUNG
 Deputy Zoning Commissioner

JMH:jbg

Attachments

cc: People's Counsel

Ms. Ann Dew
 7130 Dogwood Road
 Baltimore, Maryland 21207

IN RE: PETITIONS SPECIAL EXCEPTION
 AND HEARING
 S/S of Dogwood Road,
 2338 W of Rolling Road
 1st Election District
 George Helfrich -
 Petitioner

BEFORE THE
 DEPUTY ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Case No. 86-354-XSPH

The Petitioner herein requests a special hearing for the continued operation of certain activities on the property, such activities being determined to be nonconforming to the current D.R. 5.5 zone: utilization of the clubhouse for social activities, including the utilization of a liquor license, wherein meetings, dances, and other social activities have been conducted; outdoor baseball, football and soccer fields which have been utilized for those sports activities; the woods which have been utilized for hiking, camping and other nature activities; the pool which has been utilized for swimming and other aquatic activities; two clay tennis courts which have been utilized; and a pond, which has been used for canoeing, boating and fishing and/or

The Petitioner requests a special exception for utilization of the clubhouse as an area of social activities (including a liquor license) wherein meetings, dances, and other social activities will be conducted; outdoor baseball, football, and soccer fields for those sports activities; tennis facilities; the woods for hiking, camping and other nature activities; the pool for swimming and other aquatic activities; a miniature golf course and a golf driving range; the right to utilize the clubhouse and fields as a training facility for football, baseball, or soccer; and camping to include overnight tenting and other outdoor recreational activities.

Testimony by and on behalf of the Petitioner indicated that the clubhouse has been in existence since the 1940's and both it and the grounds have been utilized by club members or private parties (including companies and organized

groups) for meetings, dances and other social activities, many of which utilized a liquor license. The pool and pool house, since the early 1950's, have been utilized by club members, groups, those joining the pool for an annual membership and a day camp for one summer. Since the 1940's or early 1950's the pond, woods and open areas have been used for general recreational purposes including camping by members and the parking lot has been in existence. The earliest specific reference to basketball was "prior to 1961." Although the Petitioner testified that he saw fields (i.e. baseball, football and/or soccer) somewhere between 1952 and 1954, one person testified they were added about 1965, and another that they were added at the time the last building at Social Security was constructed. An undated letter from the President of the Wildwood Athletic Association, Inc., marked Petitioner's Exhibit 2, indicated that the organization built lighted football and softball fields subsequent to its purchase of the site in 1979. The tennis courts were added in 1971 according to one witness and after Potts and Callahan work according to another.

The Petitioner, in his special exception request, proposes to expand the facility by adding a miniature golf course and a golf driving range, and to obtain the right to utilize the clubhouse and fields as a training facility.

Testimony by a representative of a local improvement association indicated concern for proper management of the pool and other facilities and concern that there might be noise, vandalism and/or brawls by users of the facility. She urged pool admission by bonded membership only, that no amplifiers or rock groups be permitted and, in general, good management. She testified that the fields were constructed in 1977.

After due consideration, in the opinion of the Deputy Zoning Commissioner, the following enjoy a legal, nonconforming status as indicated on the plan prepared by Gerhold, Cross & Etzel, revised September 10, 1985 and marked Petitioner's Exhibit 1: clubhouse for social activities including music and liquor license, pool and pool house, recreational use (including camping) of pond, woods and open areas; parking lot, basketball court, fields (baseball, football and soccer) and tennis courts.

- 2 -

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for utilization of the clubhouse as an area of social activities, (including a liquor license) wherein meetings, dances and other social activities will be conducted; outdoor baseball, football, and soccer fields for those sports activities; tennis facilities; the woods which have been utilized for hiking, camping and other nature activities; the pool which has been utilized for swimming and other aquatic activities; a miniature golf course and a golf driving range.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
 (Type or Print Name)
 Signature
 Address
 City and State
 Attorney for Petitioner:
 J. Carroll Holzer
 (Type or Print Name)
 Signature
 305 W. Chesapeake Ave., Suite 110
 Address
 Towson, Maryland 21204
 City and State
 Attorney's Telephone No.: 825-6960
 Legal Owner(s):
 George Helfrich
 (Type or Print Name)
 Signature
 (Type or Print Name)
 Signature
 2516 Maryland Avenue
 Address
 Baltimore, Maryland 21218
 City and State
 Name, address and phone number of legal owner, contract purchaser or representative to be contacted
 Name
 Address
 Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day of February, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11th day of March, 1986, at 1:30 o'clock

Jean M.H. Jung
 Zoning Commissioner of Baltimore County.

(over)

(cont'd.)
 range; the right to utilize the clubhouse and fields as a training facility for football, baseball, or soccer. Camping to include overnight tenting and other outdoor recreational activities; all pursuant to Baltimore County zoning regulations, Section 1801.1.C.6

tioner's Exhibit 1: clubhouse for social activities including music and liquor license, pool and pool house, recreational use (including camping) of pond, woods and open areas; parking lot and a basketball court.

It appears that fields, baseball, football and soccer, as well as tennis courts, have been added later and have been within, but totally utilized, the 25% expansion allowed by the Baltimore County Zoning Regulations (BCZR).

Pursuant to the advertisement, posting of property, and public hearing on the Petitions, and after due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, the requirements of Section 502.1, BCZR, have been met and the health, safety and general welfare of the community will not be adversely affected, and, therefore, the Special Hearing and Special Exception should be granted in part, subject, however, to the limitations on the Special Hearing reflecting the findings noted above and to restrictions on the Special Exception.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 15th day of May, 1986, that the herein Petition for Special Hearing for the continued operation of certain activities on the property, such activities being determined to be nonconforming to the current D.R.5.5 zone: utilization of the clubhouse for social activities, including the utilization of a liquor license, wherein meetings, dances, and other social activities have been conducted; the woods which have been utilized for hiking, camping and other nature activities; the pool which has been utilized for swimming and other aquatic activities; and a pond which has been used for canoeing, boating and fishing; and, additionally, the Petition for Special Exception for a miniature golf course and a golf driving range; all in accordance with Petitioner's Exhibit are hereby GRANTED, from and after the date of this Order, subject, however, to the following limitations on the Special Hearing reflecting the testimony and evidence presented:

1. The nonconforming uses, including their permitted 25% expansion, shall not extend beyond the clubhouse for social activities including music and liquor license, pool and pool house, recreational use (including camping) of pond, woods and open areas; parking lot, basketball court, fields (baseball, football and soccer) and tennis courts.
2. There shall be no concerts whose attendance will cause the parking lot to overflow or cause noise/sound in violation of Baltimore County nuisance laws.
3. No amplifiers shall be used after 11:00 p.m.
4. All activities, except camping, shall cease by 2:00 a.m. Friday and Saturday, and midnight Sunday through Thursday.
5. The pool shall not be open to the public as a commercial business with daily admission, but available to organized groups or to individuals and families who are club members, or who have paid an annual membership fee and to their specified guests for whom they are responsible.

and to the following restrictions on the Special Exception:

1. The driving range and miniature golf activities shall cease by 10:00 p.m.
2. Adequate parking in accordance with current BCZR shall be provided for the miniature golf course and the golf driving range.
3. The pool shall be operated in accordance with all Health Department requirements.
4. All facilities shall be closed and the two entrances to the parking lot secured with a cable/chain unless there is, on the property, a manager or person responsible to the owner. That manager is responsible for seeing that there is no illegal drug and/or alcohol consumption on the property.

A special exception for the right to utilize the clubhouse and fields as a training facility for football, baseball, or soccer is hereby DENIED.

Jean M.H. Jung
 Deputy Zoning Commissioner
 of Baltimore County

ORDER RECEIVED FOR FILING
 DATE May 15 1986
 BY *Jean M.H. Jung*

ORDER RECEIVED FOR FILING
 DATE May 15 1986
 BY *Jean M.H. Jung*

ORDER RECEIVED FOR FILING
 DATE May 15 1986
 BY *Jean M.H. Jung*

ORDER RECEIVED FOR FILING
 DATE May 15 1986
 BY *Jean M.H. Jung*

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commission and/or Deputy Zoning Commissioner should approve the continued operation of certain activities on the property, such activities as hereinafter described having been in continuous use and operation since 1962, such activities being determined to be non-conforming to the D.R. 5.5 Zone, which is presently applied to the property. Such activities which have been in continuous use are utilization of the clubhouse as an area of social activities, including the utilization of a liquor license wherein meetings, dances and other social activities. Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

(Type or Print Name)

Signature

Address

City and State

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

City and State

Name

Address

City and State

Name

Address

City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of February, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11th day of March, 1986, at 1:30 o'clock p.m.

Carl J. Jablon
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR SPECIAL HEARING : OF BALTIMORE COUNTY
S/S Dogwood Rd., 2338' W of Rolling Rd., 1st District
GEORGE HELFRICH, Petitioner : Case No. 86-354-XSPH

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 25th day of February, 1986, a copy of the foregoing Entry of Appearance was mailed to J. Carroll Holzer, Esquire, 305 W. Chesapeake Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

(con'd.)

have been conducted, outdoor baseball, football and soccer fields have been utilized for those sports activities; the woods which have been utilized for hiking, camping and other nature activities, the pool which has been utilized for swimming and other aquatic activities. Two clay tennis courts have also been in existence and utilized during the life of this facility. Finally, a pond which is located on the property has also been used for canoeing, boating and fishing throughout the life of this operation existing on site since 1962.

CARL L. GERHOLD
PHILIP R. CROSS
JOHN F. ETZEL
WILLIAM L. HARRIS
ROBERT T. LANGDON

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204
823-4470

April 9, 1985

Zoning Description

All that piece or parcel of land situate, lying and being in the First Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at a point in Dogwood Road distant 2338 feet westerly measured along Dogwood Road from Rolling Road and thence running and blinding in Dogwood Road, North 68 degrees 00 minutes 06 seconds West 773.62 feet, thence leaving Dogwood Road and running for the property lines of the petitioner herein, the six following courses and distances viz: South 87 degrees 23 minutes 45 seconds West 440.55 feet, South 0 degrees 02 minutes 59 seconds East 1036.74 feet, South 7 degrees 16 minutes 42 seconds West 353.27 feet, South 62 degrees 33 minutes 22 seconds East 495.51 feet, North 29 degrees 22 minutes 02 seconds East 671.55 feet and North 29 degrees 37 minutes 02 seconds East 874.50 feet to the place of beginning.

Containing 28.413 Acres of land more or less.

Being the property of the petitioner herein and shown on a plat filed with the Baltimore County Zoning Department.



PETITIONS FOR SPECIAL HEARING AND EXCEPTION

1st Election District

LOCATION: South Side of Dogwood Road, 2338 feet West of Rolling Road

DATE AND TIME: Tuesday, March 11, 1986, at 1:30 p.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing for continued operation of certain activities on the property, such activities being determined to be non-conforming to the D.R. 5.5 Zone presently zoned, and such activities are: utilization of the clubhouse for social activities, including the utilization of a liquor license wherein meetings, dances, and other social activities have been conducted; outdoor baseball, football and soccer fields have been utilized for those sports activities; the woods which have been utilized for hiking, camping and other nature activities; the pool which has been utilized for swimming and other aquatic activities; two clay tennis courts which have been utilized; and a pond, located on the property, which has been used for canoeing, boating and fishing.

Petition for Special Exception for utilization of the clubhouse as an area of social activities (including a liquor license) wherein meetings, dances, and other social activities will be conducted, outdoor baseball, football, and soccer fields for those sports activities; tennis facilities; the woods which have been utilized for hiking, camping and other nature activities; the pool which has been utilized for swimming and other aquatic activities; a miniature golf course and a golf driving range; the right to utilize the clubhouse and fields as a training facility for football, baseball, or soccer; and camping to including overnight tenting and other outdoor recreational activities.

Being the property of George Helfrich, as shown on plat plan filed with the Zoning Office.

In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RECEIVED FOR FILING

DATE May 15, 1986

BY *Carl J. Jablon*

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-1053

ARNOLD JABLON
ZONING COMMISSIONER

March 5, 1986

J. Carroll Holzer, Esquire
305 West Chesapeake Avenue
Suite 110
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND EXCEPTION
S/S Dogwood Rd., 2338' W of Rolling Rd.
1st Election District
George Helfrich - Petitioner
Case No. 86-354-XSPH

Dear Mr. Holzer:

This is to advise you that \$100.75 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to the County Office Building, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 018538

DATE 3/16/86 ACCOUNT P-01-613-VMD

SIGNATURES TO BE RETURNED

AMOUNT \$ 100.75

RECEIVED Holzer, Maher & DeMillo

FOR Advertising & Costs - re: Case No. 86-354-XSPH

9 0117*****100715 0204F

VALIDATION OR SIGNATURE OF CARRIER

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 20, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on February 20, 1986.

THE JEFFERSONIAN,

18 Kentish
Publisher

Cost of Advertising

44.00

Office of
PATUXENT
PUBLISHING CORP.

10750 Lutz Patuxent Place
Columbia, MD 21044

February 20, 1986

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR SPECIAL
HEARING & EXCEPTION

was inserted in the following:

Extonville Times

Aratus Times

weekly newspapers published in Baltimore County, Maryland once a week for one successive weeks before the 22 day of February, 1986, that is to say, the same was inserted in the issues of

February 20, 1986

PATUXENT PUBLISHING CORP.
By *[Signature]*

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

CERTIFICATE OF PUBLICATION OF

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1st Date of Posting 2-28-86
Posted for: Special Hearing and Special Exception
Petitioner: George Helfrich
Location of property: 5/5 of Dogwood Road, 2338 W of Rolling Road
Location of Sign: Sign on south side of Dogwood Road opposite 2338 W of Rolling Road
Remarks: Rolling Road and Dogwood Road, side of Dogwood Road opposite 2338 W of Rolling Road
Posted by: M. J. Dyer Date of return: 2-28-86
Number of Signs: 4

J. Carroll Holzer, Esquire
305 West Chesapeake Avenue, Suite 110
Towson, Maryland 21204

February, 1986

NOTICE OF HEARING

RE: PETITIONS FOR SPECIAL HEARING AND EXCEPTION
S/S Dogwood Road, 2338 W of Rolling Road
1st Election District
George Helfrich - Petitioner
Case No. 86-354-XSPH
TIME: 1:30 p.m.
DATE: Tuesday, March 11, 1986
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

HOLZER, MAHER & DEMILIO

RONALD L. MAHER
J. CARROLL HOLZER
CAROLE S. DEMILIO
OF COUNSEL
J. HOWARD HOLZER

305 W. CHESAPEAKE AVENUE
SUITE 110
TOWSON, MARYLAND 21204
(301) 825-6860

WASHINGTON, D.C. OFFICE
225 SHOREHAM BUILDING
801 15TH STREET, N.W.
WASHINGTON, D.C. 20005

March 6, 1986

Jean Jung, Deputy Zoning Commissioner
Room 109
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Hearing: Tuesday, March 11, 1986
George Helfrich

Dear Mr. Jung:

I received a call today from my client, Mr. Helfrich indicating that the key witness necessary to establish the continued operations of this Club over the past 25 year will be unable to travel from the Eastern Shore of Maryland to Towson by 1:30 p.m. for our Hearing. It is expected that he will not be able to arrive until 3:30 p.m. I would very much appreciate whatever consideration may be extended in order to accommodate this scheduling difficulty that I find myself in regarding this witness.

I called your office about the problem and your secretary indicated that it should be handled on the day of the hearing; however, I believe you are entitled to having the courtesy of knowing my problem at an earlier stage. I am also concerned that confusion could arise if the problem is not resolved before hand.

Thank you very much for any advice that you may be able to provide in regard to this difficulty.

Very truly yours,
J. Carroll Holzer

JCH:lm

Wildwood Athletic Assn., Inc.

7301 DOGWOOD ROAD
BALTIMORE, MARYLAND 21207
PHONE 944-1044

Dear Mr. William Hammond,

Mrs. Deborah Brown, Executive Director of the Western Family Branch YMCA recently applied for a permit to run a day camp on our property. The YMCA has no reason to believe that the permit would not be granted along with their Rolling Road Day Camp location permit, so 20,000 day camp information papers were distributed during the month of March advertising a high quality, low cost camp available for residents of the Woodlawn area. Thirty eight children had already registered and paid in full for the Wildwood Day Camp when Mrs. Brown was informed by the County Court House that there would have to be a hearing for an exception to have camp on our property. After numerous visits to the County Court House by Mrs. Brown and then myself, it became evident that prescribed procedures for a hearing would prohibit the opening of camp in time for the summer of 83.

Our club, Wildwood Athletic Assn., Inc., was started in 1947 and through the years has sponsored childrens teams in all types of sports and recreational activities. In 1979 we purchased the old Woodlawn country Club at 7301 Dogwood Road with the intent of making a sports complex for the community. We are a non-profit charitable organization. We sponsor youth activities in swimming, soccer, and football for children from all over the county using our facilities. We have built a lighted football field and softball field, lighted basketball and volleyball courts and maintain an olympic size pool. All our work has and is done by volunteers with the exception of life guards at the pool during the summer.

Although we are a private club we have tried to let the community make use of our property (28.4 acres). We have let the VFW, Moose, Elks, Easter Seals Marathon, Muscular Dystrophy, Boy Scouts and many others take advantage of our location.

The YMCA Day Camp would utilize our property the same way our members have in the past. They would use the woods, sports fields and courts, swimming pool and bath house, 9:00am-4:00pm Monday through Friday for children ages 5 to 12 years old. Since this benefits the community and will operate within the guidelines of use of the property already in effect, I feel that an exception could be made even if only for this year.

Time is of the essence. I would appreciate your help in this matter and will look forward to hearing from you this week for any further information you may need to grant this permit for the summer of 83. Thank you very much for your consideration.

PETITIONER'S EXHIBIT 2

Sincerely yours,
Robert Leishear
President Wildwood A.F. Inc.
944-1044 after 4pm 7 days wkly

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 4th day of February, 1986

ARNOLD JABLON
Zoning Commissioner

Petitioner: George Helfrich
Petitioner's Attorney: J. Carroll Holzer, Esquire

Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY, MARYLAND No. 016052

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

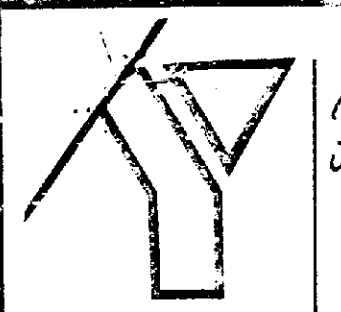
DATE: 12/9/85 ACCOUNT: 801-615-000

1/25/86 AMOUNT: \$ 200.00

RECEIVED FROM: Carol A. Holzer

FOR: J. Carroll Holzer

VALIDATION OR SIGNATURE OF CARRIER



YMCA of Greater Baltimore Area

Shaping young Baltimore's values since 1853.
WESTERN DISTRICT
Howard County Branch
(301) 467-4334
4331 Montgomery Road
Baltimore City, Maryland 21205

Western Family Branch
(301) 747-9622
850 S. Rolling Road
Baltimore, Maryland 21228

May 8, 1983

Re: Proposed YMCA Day Camp
7301 Dogwood Road

Dear Mr. Hammond,

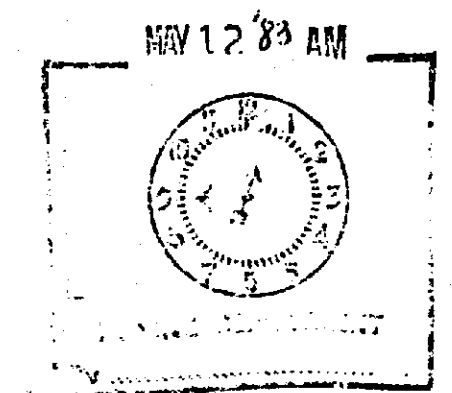
With the growing need for youth programs during the summer, the YMCA of Greater Baltimore has made an effort to expand its Day Camp Programs throughout the area. Our primary goal is to provide a high quality, low cost camp that will give the children the opportunity to learn to swim, learn sportsmanship in team sports, gain confidence through working with others in arts, crafts, music and nature lore and have a sense of security while camping by experiencing an outdoor environment a short distance from home.

The proposed Wildwood Camp location would be a perfect spot for the children living in the Woodlawn area.

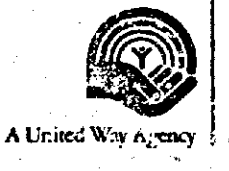
I send my hopes, along with Mr. Leishear's letter, that you will be able to make this camp a reality this summer.

Sincerely,

Debbie Brown
Executive Director
Western Family Branch YMCA



Gifts and bequests to the YMCA endowment fund help perpetuate services to youth



A United Way Agency

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

WILLIAM E. HAMMOND
ZONING COMMISSIONER

May 27, 1983

Ms. Debbie Brown
Executive Director
Western Family Branch YMCA
850 S. Rolling Road
Baltimore, Maryland 21228

Re: Proposed YMCA Day Camp
7301 Dogwood Road
1st Election District

Dear Ms. Brown:

Regarding your letter of May 8, 1983 with reference to the above, this is to advise that your request will be approved for this year only. If you propose to operate a day camp next year, a special exception will have to be obtained prior to approval.

Through a subsequent telephone conversation, Mr. Robert Leishear, President of the Wildwood Athletic Association, Inc., was advised that in the absence of verifiable documentation as to the alleged nonconforming status of his club, a special exception will be required.

If I can be of any further assistance, please feel free to contact me.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chief, Development Control

NBC:aj

cc: Mr. William E. Hammond
Zoning Commissioner

Mrs. Jean M. H. Jung
Deputy Zoning Commissioner

Mr. James E. Dyer
Zoning Supervisor

HOLZER, MAHER & DEMILIO

RONALD L. MAHER
J. CARROLL HOLZER
CAROLE S. DEMILIO
OF COUNSEL
J. HOWARD HOLZER

305 W. CHESAPEAKE AVENUE
SUITE 110
TOWSON, MARYLAND 21204
(301) 825-6860

WASHINGTON, D.C. OFFICE
225 SHOREHAM BUILDING
801 15TH STREET, N.W.
WASHINGTON, D.C. 20005

March 11, 1986

Arnold Jablon
Zoning Commissioner
Baltimore County Office of Planning & Zoning
Room 113
County Office Building
Towson, Maryland 21204

RE: Petition for Special Exception and Special Hearing
Case No. 86-354-XSPH

Dear Mr. Jablon:

Enclosed please find my check in the amount of \$100.75 as per your letter of March 5, 1986.

Very truly yours,
Carroll Holzer

JCH/dw
Lnc1.

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

MR. ARNOLD JABLON
Zoning Commissioner
County Office Building
Towson, Maryland 21204

FEBRUARY 13, 1986

Re: Zoning Advisory Meeting of December 17, 1985
Item # 207
GEORGE HELFRICH
Location: S/S Dogwood Road, 2338 W. of Rolling Rd.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- () There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () This site is part of a larger tract, therefore it is defined as a subdivision. The plan must show the entire tract, to issuance of a building permit.
- () The access is not satisfactory.
- () The parking arrangement is not satisfactory.
- () The parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-95 of the Development Regulations.
- () The proposed use of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board.
- () The proposed use is not in a designated County Landmark.
- () The property is located in a deficient service area as defined by Capacity Use Certificate has been issued. The deficient service is:
- () The property is located in a traffic area contributing to a "hot" level intersection as defined by S11 175-70, and as conditions change and re-evaluated annually by the County Council.
- () Additional comments:

cc: James Howell

Esther A. Boler
Chief, Current Planning and Development

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
February 14, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

J. Carroll Holzer, Esquire
105 W. Chesapeake Avenue, Suite 110
Towson, Maryland 21204

RE: Item No. 207 - Case No. 86-354-XSPH
Petitioner - George Helfrich
Special Exception and Special Hearing
Petitions

Dear Mr. Holzer:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petitions. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petitions. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. These petitions were accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:nr
Enclosures

cc: Gerhold, Cross & Etzel
111 W. Chesapeake Avenue
Towson, Maryland 21204

J. CARROLL HOLZER
ATTORNEY AT LAW

HOLZER, MAYER & DENICO
SUITE 110 - 305 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204
4101 825-0900

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: February 14, 1986

Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petitions No. 86-349-SPhA, 86-350-A, 86-351-XA, 86-354-XSPH, 86-355-A, 86-356-A, 86-357-A, and 86-358-A

There are no comprehensive planning factors requiring comment on these petitions.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NBG:JGR:sim

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 16, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 207 -ZAC- Meeting of December 17, 1985
Property Owner: George Helfrich
Location: S/S Dogwood Road, 2338' W of Rolling Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Exception for utilization of the clubhouse as an area of social activities, including a liquor license, wherein meetings, dances and other social activities will be conducted, outdoor baseball, football, and soccer fields for those sports, 28.413
Acres: 1st
District: 1st

Dear Mr. Jablon:

This site has sight distance problems along Dogwood Road, due to the high hedges along the edge of the road. All of the entrances will be required to meet minimum county standards.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF/bld

2/11 86-354

BALTIMORE COUNTY DEPARTMENT OF HEALTH

12/19/85
Date

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 207, Zoning Advisory Committee Meeting of Dec. 17, 1985

Property Owner: George Helfrich

Location: S/S Dogwood Road, 2338' W of Rolling Rd District: 1st

Water Supply: Private Sewage Disposal: Private

COMMENTS ARE AS FOLLOWS:

() Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.

() Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.

() A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

() A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.

() Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.

() Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.

() Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.

() If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Zoning Item # 207 Zoning Advisory Committee Meeting of Dec. 17, 1985
Page 2

() Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.

() Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.

() Soil percolation tests (have been/must be) conducted.
{ } The results are valid until _____
{ } Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.

() Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.

() In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
{ } shall be valid until _____
{ } is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.

() Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.

() If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.

() Others: Before proposed camping activities can begin, Baltimore must first file an annual operating camp permit with this office. Additional soil percolation tests may also be required.

John J. Foxworth
John J. Foxworth, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1283 (2) A

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

December 18, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: George Helfrich

Location: S/S Dogwood Road, 2338' W of Rolling Road

Item No.: 207 Zoning Agenda: Meeting of December 17, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *John F. O'Neill* Noted and Approved: *John F. O'Neill*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI, JR.
DIRECTOR

January 16, 1986

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 207 Zoning Advisory Committee Meeting are as follows:

Property Owner: George Helfrich
Location: S/S Dogwood Road, 2338' W of Rolling Road
District: 1st

APPLICABLE TYPES ARE CIRCLED

() All structure shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.C.A. 1980) and other applicable Codes and Standards.

() A Building and other miscellaneous permits shall be required before the start of any construction.

() Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.

() Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Registered seals are not acceptable.

() All Use Groups except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. All Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 107, Section 106-A and Table 1101. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

() The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

() The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.

() When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from the _____ to the _____ or to Mixed Use. See Section 212 of the Building Code.

() The proposed project appears to be located in a Flood Plain, Flood/Recreation. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

() Comments: See Section 103.1 as amended by Bill #17-85 which appears to be applicable.

() These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 112 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles J. Schuman
Charles J. Schuman, Chief
Building Permits Bureau

L/22/86

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 16, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 207 -ZAC- Meeting of December 17, 1985
Property Owner: George Helfrich
Location: S/S Dogwood Road, 2338' W of Rolling Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Exception for utilization of the clubhouse as an area of social activities, including a liquor license, wherein meetings, dances and other social activities will be conducted, outdoor baseball, football, and soccer fields for those sports, 28.413
Acres: 1st
District: 1st

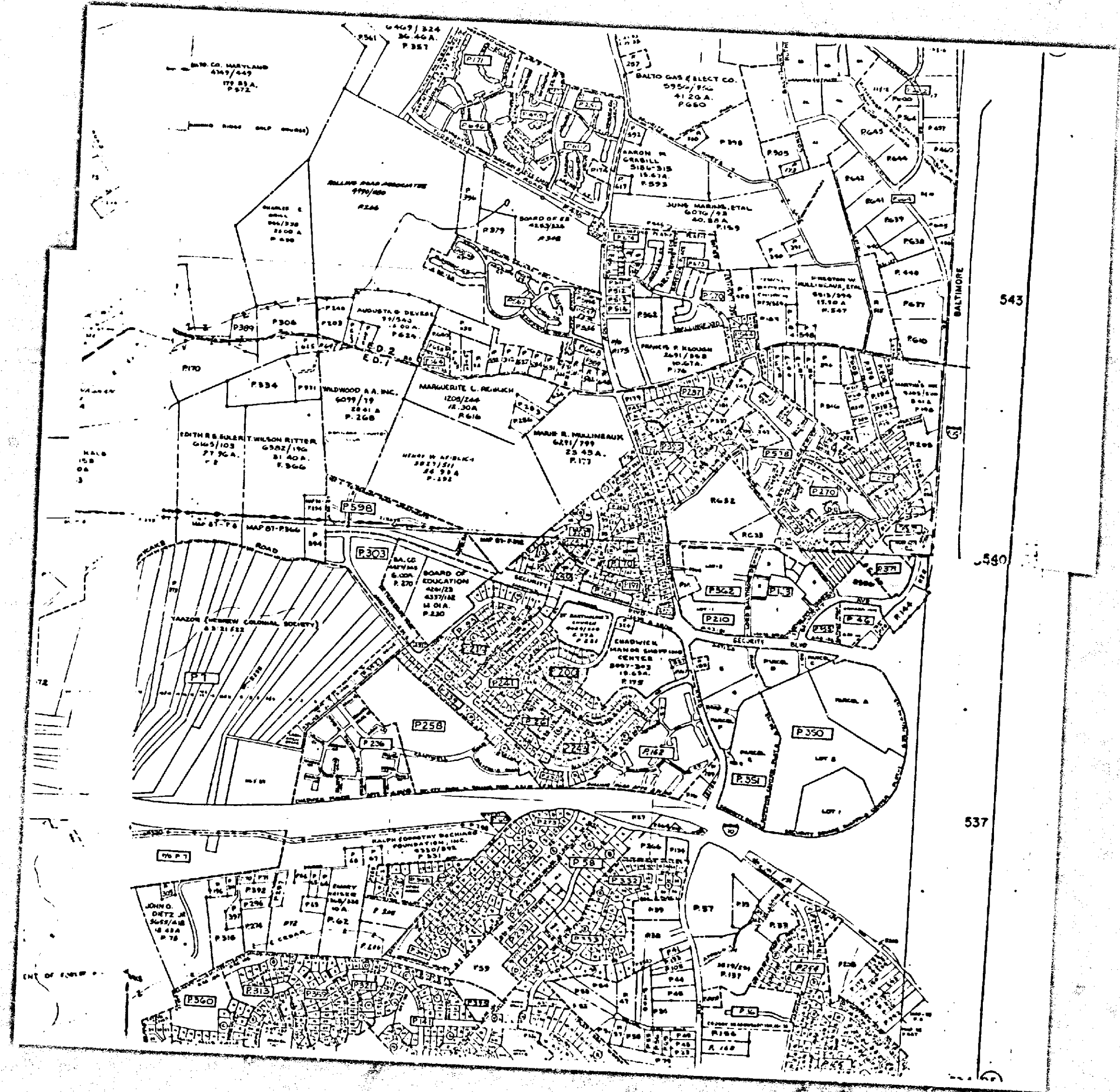
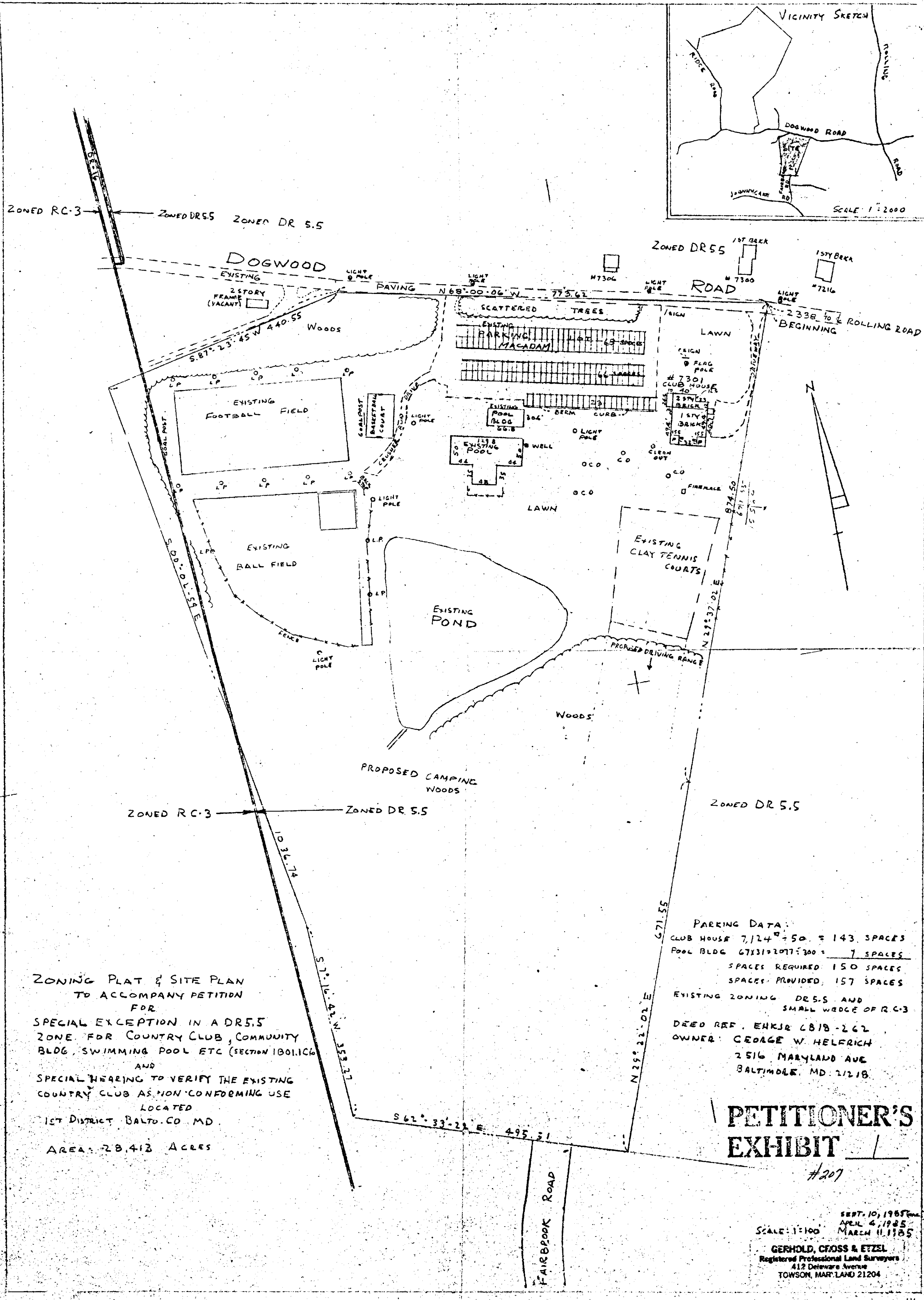
Dear Mr. Jablon:

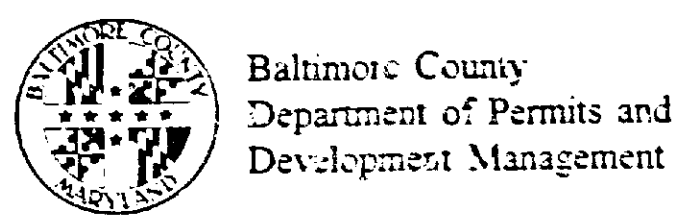
This site has sight distance problems along Dogwood Road, due to the high hedges along the edge of the road. All of the entrances will be required to meet minimum county standards.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF/bld

2/11 86-354





Baltimore County
Department of Permits and
Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 24, 1998

George W. Helfrich
2516 Maryland Avenue
Baltimore, MD 21218

RE: Spirit & Intent Letter
Zoning Case #86-354-XSPH
1st Election District

Dear Mr. Helfrich:

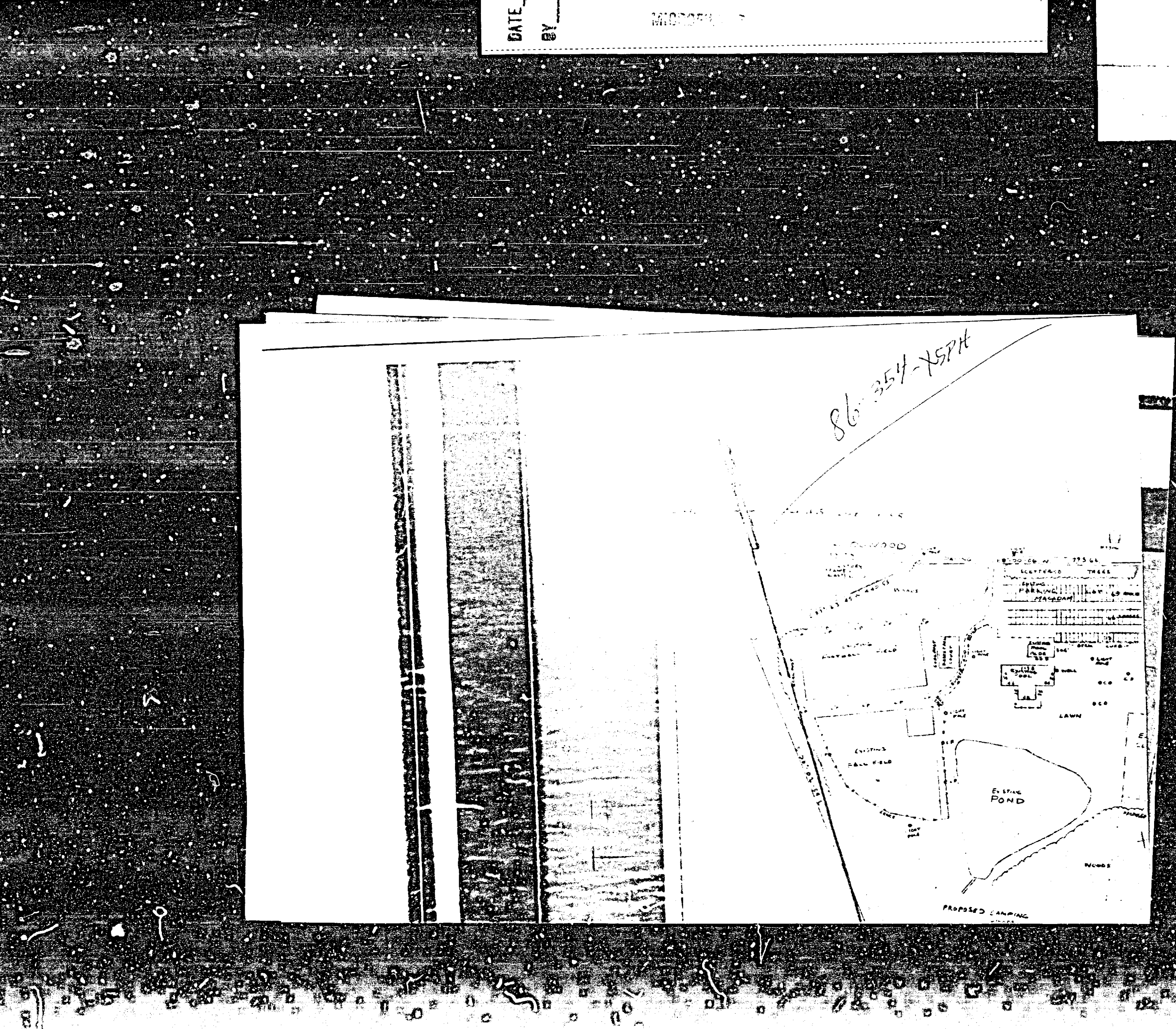
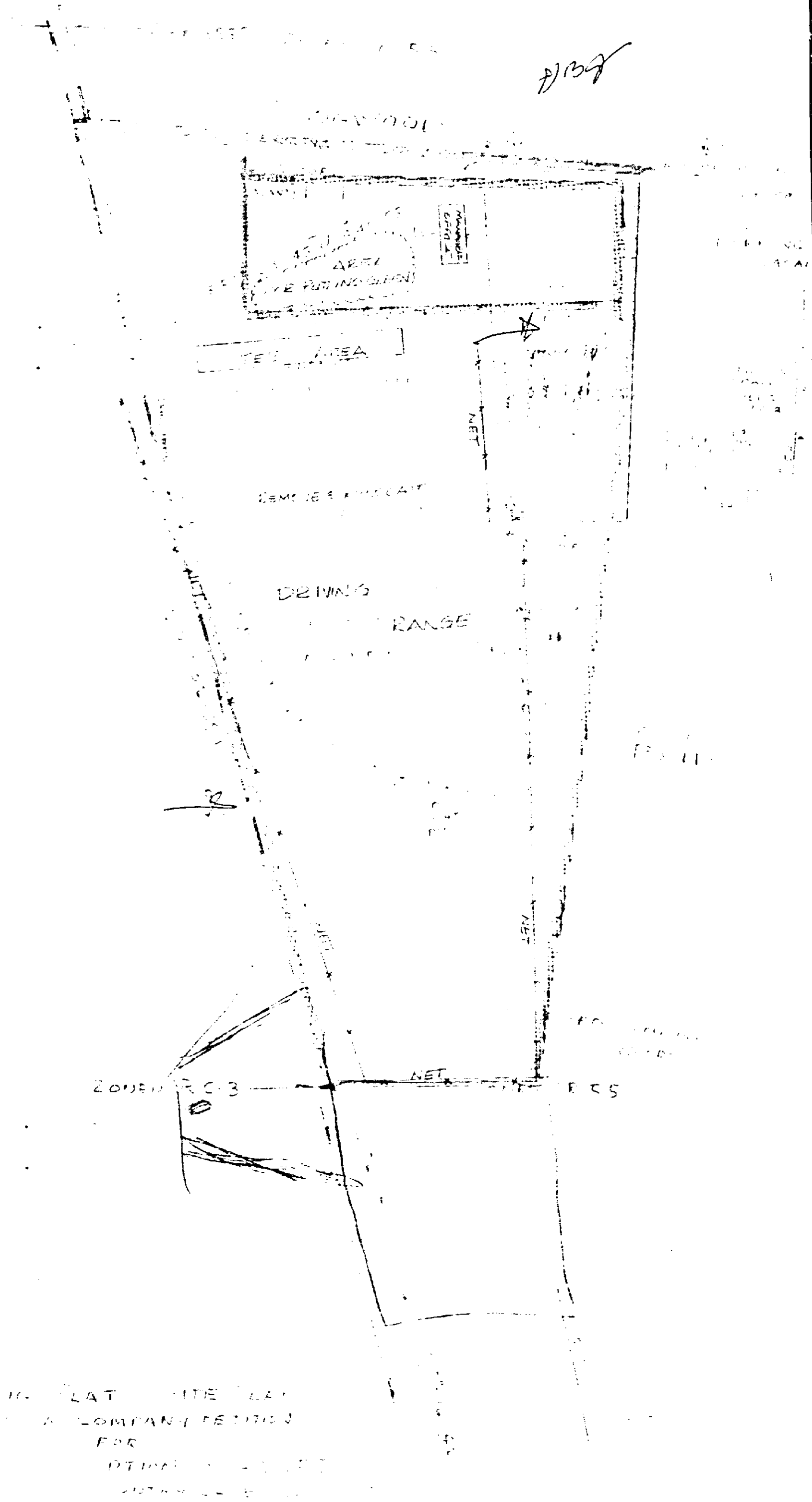
Your letter to Arnold Jablon, Director of Permits and Development Management, has been referred to me for reply. Attempts to reach you by telephone (410-944-4033) were unsuccessful. For a written response to your letter, a fee of \$40.00, payable to Baltimore County, Maryland, is required.

If you need further information or have any questions, please do not hesitate to contact me at 410-887-3331.

Very truly yours,

John J. Sullivan, Jr.
John J. Sullivan, Jr.
Planner II
Zoning Review

JJS:scj



RECEIVED JUN 10 1998
6/8/98
TO: JJS
ST: I
6/8/98 uen
June 1, 1998: if verbal
no fee if in
writing need
\$40

Mr. Arnold Jablon
Director, PDM
Baltimore County Office Bldg.
111 West Chesapeake Ave.
Towson Md. 21204

*Re Zoning case #86-354-xspH

Dear Mr. Jablon,

I would like to know if as per order this miniature golf course and driving range can go on location shown on the attached re: used plot and be approved without additional zoning hearings. The hours of operation will be from 9 AM till 10.

Sincerely yours,
George W. Helfrich
George W. Helfrich

RECEIVED
JUN 8 1998
48-2297

IN RE: PETITIONS SPECIAL EXCEPTION
AND HEARING
S/S of Dogwood Road,
2338 W of Rolling Road
1st Election District
George Helfrich -
Petitioner

DATE: 6/15/98
BY: [Signature]

The Petitioner herein requests a special hearing for the installation of certain activities on the property, such activities being deemed to be nonconforming to the current D.B. 5.5 zone, which includes the following social activities, including the utilization of the property for: meetings, dances, and other social activities; the woods which have been utilized for hiking, nature and other social activities; the pool which has been utilized for swimming and other aquatic activities; two clay tennis courts which have been utilized and a pool which has been used for canoeing, boating and fishing and so.

The Petitioner requests a special exception for the installation of the house as an area of social activities (including meetings, dances, and other social activities) which will be conducted: ball, football, and soccer fields for those sports; tennis courts; the woods for hiking, camping and other outdoor activities; the swimming and other aquatic activities; a miniature golf course and a driving range; the right to utilize the clubhouse and well as a facility for football, basketball, or soccer; and parking for outdoor tenting and other outdoor recreational activities.

Testimony by and on behalf of the Petitioner shall be that the property has been in existence since the 1940's and both it and the grounds have been utilized by club members or private parties for outdoor recreation and socialization.

